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56TH CONGRESS, 2d Session. } SENATE. { DOC. No. 231, Part 6.

COMPILATION

OF

REPORTS

OF

COMMITTEE ON FOREIGN RELATIONS,

UNITED STATES SENATE,

1789-1901,

First Congress, First Session, to Fifty-sixth Congress, Second Session.

DIPLOMATIC RELATIONS WITH FOREIGN NATIONS—HAWAIIAN ISLANDS.

VOL. VI.

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WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1901.

IN THE SENATE OF THE UNITED STATES,

January 15, 1901.

Resolved, That there be printed as a Senate document the Compilation of Reports of the Committee on Foreign Relations of the United States Senate from seventeen hundred and eighty nine to nineteen hundred, prepared under the direction of the Committee on Foreign Relations, as authorized by the Act approved June sixth, nineteen hundred, entitled "An Act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred, and for prior years, and for other purposes."

Attest:

CHARLES G. BENNETT,

Secretary.

1898

DIPLOMATIC RELATIONS WITH FOREIGN NATIONS.

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[See pp. 7, 12, 19, 77, 196.]

FOURTH CONGRESS, FIRST SESSION.

April 15, 1796.

On an act for the relief and protection of American seamen, Mr. King reported an amendment to the bill, so as to read:

SEC. 3. And, in order that full and speedy information may be obtained of the seizure and detention, by any foreign power, of any seaman employed on board any ship or vessel of the United States,

Be it further enacted, That it shall, and hereby is, declared to be the duty of the master of every ship or vessel of the United States, any of the crew whereof shall have been impressed or detained by any foreign power, at the first port at which such ship or vessel shall arrive, if such impressment or detention happened on the high seas, or, if the same happened within any foreign port, then in the port in which the same happened, immediately to make a protest, stating the manner of such impressment or detention, by whom made, together with the name and place of residence of the person impressed or detained, distinguishing also whether he was an American citizen, and, if not, to what nation he belonged.

(Annals, 4th Cong., 1st sess., 72, 73; Stat. L., vol. 1, p. 477.)

[See pp. 6, 10, 12, 47, 69, 77, 196.]

May 18, 1796.

On memorial of Walter Stewart and others as to French spoliations, Mr. Bingham reported as follows:

That, considering the advanced period of the session, it will be expedient to refer the said memorial to the Secretary of State, in order that he may investigate the nature and extent of the claims exhibited therein, and report on the same at the next meeting of Congress.

(Annals, 4th Cong., 1st sess., 75, 76, 96.)

[See pp. 8, 28, 122.]

FIFTH CONGRESS, FIRST SESSION.

June 13, 1797.

On message of President Adams as to privateering, Mr. Livermore reported the following bill:

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That if any citizen or citizens of the United States shall, without the limits of the same, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly aid or be concerned in the furnishing, fitting out, or arming any private ship or vessel of war, with the intent that such vessel or ship shall be employed to cruise or commit

hostilities upon the subjects, citizens, or property of any prince or State with whom the United States are at peace, or upon the citizens of the United States or their property, or shall take command of, or enter on board of any such ship or vessel for the intent aforesaid, or shall purchase an interest in any vessel so fitted out and armed, with a view to share in the profits thereof, such person or persons so offending shall, on conviction thereof, be adjudged guilty of a high misdemeanor, and shall be punished by a fine not exceeding ten thousand dollars and imprisonment not exceeding ten years; and the trial for such offence, if committed without the limits of the United States, shall be the district where the offender shall be apprehended or first brought.

SEC. 2. *And be it further enacted*, That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason or any piracy defined by a treaty or other law of the United States.

(Annals, 5th Cong., 1st sess., 15, 16, 17, 20, 3685; Stat. L., vol. 1, p. 520.)

[See pp. 5, 8, 10, 12, 47, 69, 77, 196.]

FIFTH CONGRESS, SECOND SESSION.

May 18, 1798.

On message of President Adams relating to depredations of French privateers, Mr. Goodhue reported as follows:

AN ACT more effectually to protect the commerce and coasts of the United States.

Whereas armed vessels, sailing under authority or pretence of authority from the Republic of France, have committed depredations on the commerce of the United States, and have recently captured the vessels and property of citizens thereof on and near the coasts in violation of the law of nations and treaties between the United States and the French nation; Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States, and he is hereby authorized, to instruct and direct the commanders of the armed vessels belonging to the United States to seize, take, and bring into any port of the United States, to be proceeded against according to the laws of nations, any such armed vessel which shall have committed or which shall be found hovering on the coasts of the United States for the purpose of committing depredations on the vessels belonging to citizens thereof, and also to retake any ship or vessel of any citizen or citizens of the United States which may have been captured by any such armed vessel.

(Annals, 5th Cong., 2d sess., 559, 562, 563; Stat. L., vol. 1, p. 561.)

[See pp. 46, 47, 120, 355.]

SIXTH CONGRESS, FIRST SESSION.

May 7, 1800.

As to the compensation of public ministers, Mr. Morris reported the following bill:

Be it enacted, etc., That, exclusive of an outfit which shall in no case exceed the amount of one year's full salary to any minister plen-

ipotentiary or chargés des affaires, to whom the same may be allowed, the President of the United States shall not allow a greater sum than at the rate of nine thousand dollars per annum as a compensation for all his personal services and expenses; nor a greater sum for the same than four thousand five hundred dollars per annum to a chargé des affaires; nor a greater sum for the same than one thousand three hundred and fifty dollars per annum to the secretary of any minister plenipotentiary.

That where any sum or sums of money shall be drawn from the Treasury, under any law making appropriation for the contingent expenses of intercourse between the United States and foreign nations, the President shall be, and he hereby is, authorized to cause the same to be duly settled annually with the accounting officers of the Treasury in manner following—that is to say, by causing the same to be accounted for specially in all instances wherein the expenditure thereof may in his judgment be made public, and by making a certificate of the amount of such expenditures as he may deem it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sums therein expressed to have been expended.

(Leg. Jour., vol. 3, pp. 87, 88; Stat. L., vol. 2, p. 78.)

[See pp. 5, 12, 19, 77, 196.]

NINTH CONGRESS, FIRST SESSION.

February 5, 1806.

On spoliation of the commerce of the United States on the high seas, Mr. Smith, of Maryland, reported as follows:

That the capture and condemnation, under the orders of the British Government and adjudication of their courts of admiralty, of American vessels and their cargoes, on the pretext of their being employed in a trade of the enemies of Great Britain, prohibited in the time of peace, is an unprovoked aggression upon the property of the citizens of these United States, a violation of their neutral rights, and an encroachment upon their national independence.

That the President of the United States be requested to demand and insist upon the restoration of the property of their citizens, captured upon the pretext of its being employed in a trade with the enemies of Great Britain, prohibited in time of peace, and upon the indemnification of such American citizens for their losses and damages sustained by these captures and condemnations, and to enter into such arrangements with the British Government on this and all other differences subsisting between the two nations (and particularly respecting the impressment of American seamen), as may be consistent with the honor and interests of the United States, and manifest their earnest desire to obtain for themselves and their citizens, by amicable negotiation, that justice which they are entitled to.

That it is expedient to prohibit by law the importation into the United States of any of the following goods, wares, or merchandise, being the growth, produce, or manufactures of the United Kingdom of Great Britain and Ireland or the dependencies thereof, that is to say, woolens, linens, hats, nails, looking-glasses, rum, hardwares, slate, salt, coal, boots, shoes, ribbons, silks, and plated and glass ware. The said prohibition to commence from the ——— of ———, unless previously thereto equitable arrangements shall be made between the

two Governments on the differences subsisting between them, and to continue until such arrangements shall be agreed upon and settled.

(Leg. Jour., pp. 22, 33, 37; Annals, 9th Cong., 1st sess., 51, 90; Am. St. Pap., vol. 2, p. 773.)

[See pp. 9, 10.]

February 20, 1806.

On bill to prevent the abuse of the privileges of foreign ministers within the United States, Mr. Adams reported the following as an additional section:

That whenever the President of the United States shall, under the authority of the laws of nations and of this act, send any foreign ambassador, minister, or other person as aforesaid, so offending, home to his sovereign, he shall issue his warrant to any officer, civil or military, under the authority of the United States, commanding him to provide for the departure of the said ambassador, minister, or other person as aforesaid, so offending, taking due precautions to avoid all improper or unnecessary violence in executing the said warrant. And all officers, civil and military, under the authority of the United States, are required to be obedient to such warrant.

(Annals, 9th Cong., 1st sess., 103, 116.)

[See pp. 5, 28, 122.]

ELEVENTH CONGRESS, FIRST SESSION.

June 23, 1809.

As to expediency of providing by law for the exclusion of foreign armed vessels from the waters of the United States, Mr. Leib reported as follows:

That, in the opinion of the committee, such an interdiction is within the just and neutral rights of the United States, and, under other circumstances, would be highly expedient and proper. So long as a neutral nation shall confine itself to strict measures of impartiality, allowing no benefit to one belligerent, not stipulated by treaty, which it shall refuse to another, no cause whatever is afforded for exception or complaint. The right to admit an armed force into a neutral territory belongs exclusively to the neutral, and when not guaranteed by treaty, as is ofttimes the case, such admission compromits the neutrality of the nation which permits to one belligerent alone such an indulgence.

As a measure of safety as well as of peace, it is incumbent upon the United States to carry into effect such a provision. So long as we are without a competent force to protect our jurisdiction from violation, and our citizens from outrage, and our flag from insults, so long ought no asylum to be given, but in distress, to the armed vessels of any nation. The committee will not bring into view the many injuries and insults which the United States have sustained from the hospitable grant of their ports and harbors to belligerents, nor the facility which has thereby been afforded to them to lay our commerce under contribution. It is sufficient to remark that great injuries have been sustained, and that imperious duty requires arrangements at our hands to guard our country in future from similar aggressions.

The United States are at this moment under no obligation to withhold the restraints within their power upon the admission of foreign armed vessels into their ports; but the committee are strongly impressed with the propriety of avoiding any legislative interference at this time, which, by any possibility, might be construed into a desire to throw difficulties in the way of promised and pending negotiations. They are desirous that a fair experiment be made to adjust our differences with the two belligerent nations, and that no provisions be interwoven in our laws which shall furnish a pretext for delay or a refusal to yield to our just and honorable demands.

Calculating that the overtures which have been made by Great Britain will be executed in good faith, the committee are willing to believe that the stipulated arrangements will be of such a character as to guard our flag from insult, our jurisdiction from aggression, our citizens from violation, and our mercantile property from spoliation. Under these impressions, which the committee have stated as briefly as possible, they beg leave to submit to the consideration of the Senate the following resolution, viz:

Resolved, That the further consideration of the subject be postponed until the next session of Congress.

(Annals, 11th Cong., 1st sess., 42–44; Am. St. Pap., vol. 3, p. 297.)

[See pp. 8, 10.]

ELEVENTH CONGRESS, SECOND SESSION.

December 5, 1809.

On the message of the President respecting the relations existing between the United States and Great Britain and France, Mr. Giles reported as follows:

Resolved, That the expressions contained in the official letter of Francis J. Jackson, minister plenipotentiary of His Britannic Majesty near the United States, dated the 23d day of October, 1809, and addressed to Mr. Smith, Secretary of State, conveying the idea that the Executive Government of the United States had a knowledge that the arrangement lately made by Mr. Erskine, his predecessor, in behalf of his Government, with the Government of the United States, was entered into without competent powers on the part of Mr. Erskine for that purpose, were highly indecorous and insolent; that the repetition of the same intimation in his official letter dated the 4th of November, 1809, after he was apprised by the asseveration of the Secretary of State that the Executive Government had no such knowledge, and that if it had possessed such knowledge, such arrangement would not have been entered into on the part of the United States; and after also being officially apprised that such intimation was inadmissible, was still more insolent and affronting; and that in refusing to receive any further communications from him in consequence of these outrageous and premeditated insults, the Executive Government has manifested a just regard to its own dignity and honour, as well as to the character and interest of the American people; that the letter signed Francis J. Jackson, headed "Circular," dated 13th November, 1809, and published and circulated through the

country, is a still more direct and aggravated insult and affront to the American people and their Government, as it is evidently an insidious attempt to excite their resentments and distrusts against their own Government, by appealing to them, through false or fallacious disguises, against some of its acts, and to excite resentments and divisions amongst the people themselves, which can only be dishonourable to their own characters and ruinous to their own interests. And the Congress of the United States do hereby solemnly pledge themselves to the American people, and to the world, to stand by and support the Executive Government in its refusal to receive any further communications from the said Francis J. Jackson, and to call into action the whole force of the nation, if it should become necessary, in consequence of the conduct of the Executive Government in this respect, to repel such insults, and to assert and maintain the rights, the honour, and the interests of the United States.

(Leg. Jour., pp. 409, 410; Stat. L., vol. 2, p. 612; Annals, 11th Cong., 2d sess., 482.)

[See pp. 5, 6, 7, 8, 9, 12, 15, 17, 18, 19, 31, 47, 69, 77, 196.]

December 5, 1809.

On the message of the President as respects the relations existing between the United States and Great Britain and France, Mr. Giles reported as follows:

That if any foreign ambassador, minister, or other person entitled to enjoy within the United States the privileges and immunities of a foreign minister shall have committed, or may hereafter commit, any such act as by the laws of nations would justify the President of the United States in ordering such offending ambassador, minister, or other person as aforesaid out of the District of Columbia, or out of the territories of the United States, or in sending him home to his sovereign, or to some place or territory within his sovereign's jurisdiction; in every such place where the President of the United States shall deem it proper and expedient to exercise his constitutional authority in either of these respects, he shall be, and is hereby, authorized and empowered to cause a warrant to be issued and signed by the Secretary of State, directed to any civil officer of the United States authorized to serve process, or any military officer under the authority of the United States, commanding him to provide for and enforce the departure of such ambassador, minister, or other person offending as aforesaid, taking due precautions to avoid improper or unnecessary violence in executing such warrant. And all officers, civil and military, under the authority of the United States, are hereby required and enjoined to be obedient to such warrant. And in case any officer, civil or military, to whom such warrant shall be directed shall fail or unreasonably delay to execute the same, every officer so offending shall be deemed guilty of a high misdemeanor, and shall be punished by fine and imprisonment before any court of the United States having cognizance of the offence: *Provided*, That the fine shall not exceed ——— dollars, nor the imprisonment be longer than ——— years.

(Annals, 11th Cong., 2d sess., 482.)

[See pp. 16, 25, 32, 119, 120, 199, 276.]

ELEVENTH CONGRESS, THIRD SESSION.

January 7, 1811.

Mr. Clay, from the Committee on Foreign Relations, to whom was referred the message of the President in regard to the country lying east of the Perdido and south of the State of Georgia and the Mississippi Territory, made the following report:

The United States of America, in Congress assembled, having had their attention imperiously drawn to the present situation of the territory adjoining their southern border, and considering the influence which the destiny of that territory may have upon their security, tranquillity, and commerce, *declare* that they could not see with indifference the said territory pass into the hands of any other foreign power, and that they feel themselves called upon by the peculiar circumstances of the existing crisis to provide, under certain contingencies, for the temporary occupation of the said territory.

Whilst they thus yield to what is demanded of them by their own safety, they further declare that the said territory in their hands shall remain, subject to future arrangement between them and Spain.

(Ex. Jour., Vol. 2, p. 176.)

[See as above.]

January 11, 1811.

Mr. Anderson, from the Committee on Foreign Relations, to whom was referred the confidential resolution from the House of Representatives to enable the President of the United States to take possession of the territory lying east of the river Perdido and south of the State of Georgia and the Mississippi Territory, and for other purposes, made the following report:

Your committee have given the resolution to them referred most careful consideration, and beg to report the same with the following amendment and to recommend that, as amended, it be favorably considered:

Strike out all after the words "Taking into view the" and insert in lieu thereof the following:

Peculiar situation of Spain, and of her American provinces, and considering the influence which the destiny of the territory adjoining the southern border of the United States may have upon their security, tranquillity, and commerce: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States, under the peculiar circumstances of the existing crisis, can not, without serious inquietude, see any part of the said territory pass into the hands of any foreign power, and that a due regard to their own safety compels them to provide, under certain contingencies, for the temporary occupation of the said territory. They, at the same time, declare that the said territory shall in their hands remain, subject to future negotiation.

(Ex. Jour., Vol. 2, pp. 182, 183.)

[See pp. 5, 7, 19, 77, 196.]

TWELFTH CONGRESS, FIRST SESSION.

November 29, 1811.

On the message of the President as to relations with France and Great Britain, Mr. Giles reported as follows:

Your committee have endeavored to give the subject submitted to them that full and dispassionate consideration which is due to one so intimately connected with the interest, the peace, the safety, and the honor of their country.

Your committee will not encumber your journals and waste your patience with a detailed history of the various matters growing out of our foreign relations. The cold recital of wrongs, of injuries, and aggressions known and felt by every member of this Union could have no other effect than to deaden the national sensibility and render the public mind callous to injuries with which it is already too familiar.

Without recurring, then, to the multiplied wrongs of partial or temporary operation, of which we have so just cause of complaint against the two great belligerents, your committee will only call your attention at this time to the systematic aggressions of those powers authorized by their edicts against neutral commerce—a system which, as regarded its principles, was founded on pretentions that went to the subversion of our national independence, and which, although now abandoned by one power, is, in its broad and destructive operation as still enforced by the other, sapping the foundations of our prosperity.

It is more than five years since England and France, in violation of those principles of justice and public law held sacred by all civilized nations, commenced this unprecedented system by seizing the property of the citizens of the United States peaceably pursuing their lawful commerce on the high seas. To shield themselves from the odium which such outrage must incur, each of the belligerents sought a pretext in the conduct of the other, each attempting to justify his system of rapine as a retaliation of similar acts on the part of his enemy, as if the law of nations, founded on the eternal rules of justice, could sanction a principle which, if engrafted into our municipal code, would excuse the crime of one robber upon the sole plea that the unfortunate object of his rapacity was also a victim to the injustice of another. The fact of priority could be true as to one only of the parties, and whether true or false could furnish no ground of justification.

The United States, thus unexpectedly and violently assailed by the two greatest powers in Europe, withdrew their citizens and property from the ocean, and, cherishing the blessings of peace, although the occasion would have fully justified war, sought redress in an appeal to the justice and magnanimity of the belligerents. When this appeal had failed of the success which was due to its moderation, other measures, founded on the same pacific policy but applying to the interests instead of the justice of the belligerents, were resorted to. Such was the character of the nonintercourse and nonimportation laws which invited the return of both powers to their former state of amicable relations by offering commercial advantages to the one who should first revoke his hostile edicts and imposing restrictions on the other.

France, at length availing herself of the proffers made equally to her and her enemy by the nonimportation law of May, 1810, announced the repeal, on the 1st of the following November, of the decrees of

Berlin and Milan. And it affords a subject of sincere congratulation to be informed, through the special organs of the Government, that those decrees are, so far at least as our rights are concerned, equally and practically at an end.

It was confidently expected that this act on the part of France would have been immediately followed by a revocation on the part of Great Britain of her orders in council. If our reliance on her justice had been impaired by the wrongs she had inflicted, yet when she had plighted her faith to the world that the sole motive of her aggressions on neutral commerce was to be found in the Berlin and Milan decrees, we looked forward to the extinction of those decrees as the period when the freedom of the seas would be again restored.

In this reasonable expectation we have, however, been disappointed. A year has elapsed since the French decrees were rescinded, and yet Great Britain, instead of retracing pari passu that course of unjustifiable attack on neutral rights in which she professed to be only the reluctant follower of France, has advanced with bolder and continually increasing strides. To the categorical demands lately made by our Government for the repeal of her orders in council she has affected to deny the practical extinction of the French decrees, and she has, moreover, advanced a new and unexpected demand, increasing in hostility the orders themselves. She has insisted, through her accredited minister at this place, that the repeal of the orders in council must be preceded not only by the practical abandonment of the decrees of Berlin and Milan, so far as they infringe the neutral rights of the United States, but by the renunciation on the part of France of the whole of her system of commercial warfare against Great Britain, of which those decrees originally formed a part.

This system is understood to consist in a course of measures adopted by France and the other powers on the Continent subject to or in alliance with her calculated to prevent the introduction into their territories of the products and manufactures of Great Britain and her colonies and to annihilate her trade with them. However hostile these relations may be on the part of France toward Great Britain, or however sensibly the latter may feel their effects, they are, nevertheless, to be regarded only as the expedients of one enemy against another, for which the United States, as a neutral power, can in no respect be responsible; they are, too, in exact conformity with those which Great Britain has herself adopted and acted upon in time of peace as well as war. And it is not to be presumed that France would yield to the unauthorized demand of America that which she seems to have considered as one of the most powerful engines of her present war.

Such are the pretensions upon which Great Britain founds the violation of the maritime rights of the United States—pretensions not theoretical merely, but followed up by a desolating war upon our unprotected commerce. The ships of the United States, laden with the products of our own soil and labor, navigated by our own citizens, and peaceably pursuing a lawful trade, are seized on our own coasts, at the very mouths of our harbors, and condemned and confiscated.

Your committee are not, however, of that sect whose worship is at the shrine of a calculating avarice. And while we are laying before you the just complaints of our merchants against the plunder of their ships and cargoes, we can not refrain from presenting to the justice and humanity of our country the unhappy case of our impressed seamen. Although the groans of these victims of barbarity for the

loss of what should be dearer to Americans than life—their liberty; although the cries of their wives and children in the privation of protectors and parents have of late been drowned in the louder clamors at the loss of property, yet is the practice of forcing our mariners into the British navy, in violation of the rights of our flag, carried on with unabated rigor and severity. If it be our duty to encourage the fair and legitimate commerce of this country by protecting the property of the merchant, then, indeed, by as much as life and liberty are more estimable than ships and goods, so much more impressive is the duty to shield the persons of our seamen, whose hard and honest services are employed, equally with those of the merchants, in advancing, under the mantle of its laws, the interests of their country.

To sum up in a word the great causes of complaint against Great Britain, your committee need only say that the United States as a sovereign and independent power claim the right to use the ocean, which is the common and acknowledged highway of nations, for the purposes of transporting in their own vessels the produce of their own soil and the acquisitions of their own industry to a market in the ports of friendly nations, and to bring home in return such articles as their necessity or convenience may require, always regarding the rights of belligerents as defined by the established law of nations. Great Britain, in defiance of this incontestable right, captures every American vessel bound to or returning from a port where her commerce is not favored, enslaves our seamen, and in spite of our remonstrances perseveres in these aggressions.

To wrongs so daring in character and so disgraceful in their execution it is impossible that the people of the United States should remain indifferent. We must now calmly and tamely submit, or we must resist by those means which God has placed within our reach.

Your committee would not cast a shade over the American name by the expression of a doubt which branch of this alternative will be embraced. The occasion is now presented when the national character, misunderstood and traduced for a time by foreign and domestic enemies, should be vindicated.

If we have not rushed to the field of battle like the nations who are led by the mad ambition of a single chief or the avarice of a corrupted court, it has not proceeded from a fear of war, but from a love of justice and humanity. That proud spirit of liberty and independence which sustained our fathers in the successful assertion of their rights against foreign aggression is not yet sunk. The patriotic fire of the Revolution still burns in the American breast with a holy and unextinguishable flame, and will conduct this nation to those high destinies which are not less the reward of a dignified moderation than of exalted valor.

But we have borne with injury until forbearance has ceased to be a virtue. The sovereignty and independence of these States, purchased and sanctified by the blood of our fathers from whom we received them, not for ourselves only, but as the inheritance of our posterity, are deliberately and systematically violated. And the period has arrived when in the opinion of your committee it is the sacred duty of Congress to call forth the patriotism and resources of the country. By the aid of these, and with the blessing of God, we confidently trust that we shall be enabled to procure that redress which has been sought for by justice, by remonstrance, and forbearance in vain.

Your committee, reserving for a future report those ulterior measures which in their opinion ought to be pursued, would at this time

earnestly recommend, in the words of the President, "That the United States be immediately put into an armor and attitude demanded by the crisis, and corresponding with the national spirit and expectations." And to this end they beg to submit for the adoption of the House the following resolutions:

1. *Resolved*, That the military establishment as authorized by existing laws ought to be immediately completed by filling up the ranks and prolonging the enlistments of the troops; and that to encourage enlistments a bounty in lands ought to be given, in addition to pay and bounty now allowed by law.
2. That an additional force of ten thousand regular troops ought to be immediately raised to serve for three years; and that a bounty in lands ought to be given to encourage enlistments.
3. That it is expedient to authorize the President, under proper regulations, to accept the service of any number of volunteers, not exceeding fifty thousand, to be organized, trained, and held in readiness to act on such service as the exigencies of the Government may require.
4. That the President be authorized to order out from time to time such detachments of the militia as in his opinion the public service may require.
5. That all the vessels not now in service belonging to the Navy and worthy of repair be immediately fitted up and put in commission.
6. That it is expedient to permit our merchant vessels, owned exclusively by resident citizens, and navigated solely by citizens, to arm under proper regulations to be prescribed by law, in self-defence, against all unlawful proceedings against them on the high seas.

(Annals, 12th Cong., 1st sess., 18; Am. St. Pap., vol. 3, p. 537; Leg. Jour., pp. 8–16.)

[See pp. 7, 10, 12, 15, 17, 18, 19, 31, 77, 196.]

June 12, 1812.

Mr. Anderson, from the Committee on Foreign Relations, to whom was referred the bill from the House of Representatives entitled "An act declaring war between Great Britain and her dependencies and the United States and their Territories," made the following report:

After giving the subject the careful consideration which its gravity demands, your committee beg to report the bill with the following amendments:

After the word "subjects," in the seventh line thereof, strike out the words "and of all persons inhabiting within any of its territories or possessions."

After the word "Britain," in the same line, insert the word "and;" and to recommend that the bill pass as amended.

(Leg. Jour., pp. 153, 154.)

[See as above.]

June 24, 1812.

On the resolution of the House of Representatives authorizing the President of the United States to issue a proclamation justifying the invasion of Canada, Mr. Anderson reported as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in case it shall be deemed necessary, in order to vindicate the just rights or to secure the safety of the United States, to invade the provinces of Upper and Lower Canada, Nova Scotia, and New Brunswick, or either of them, the President of the United States be, and he hereby is, authorized

and empowered to issue a proclamation addressed to the inhabitants of said provinces, assuring them in the name of the people of these States that in case the said provinces, or any of them, shall come into the possession of this Government, the inhabitants of such province or provinces shall be secured and protected in the full enjoyment of their lives, liberty, property, and religion, in as full and ample manner as are secured to the people of the United States by their constitutions; that the said proclamation be promulgated and circulated in the manner which, in the opinion of the President, shall be best calculated to give it general publicity.

(Ex. Jour., vol. 2, pp. 290, 291.)

[See pp. 11, 25, 32, 119, 120, 199, 276.]

June 30, 1812.

On an act authorizing the President to take possession of a tract of country lying south of the Mississippi Territory and of the State of Georgia, and for other purposes, Mr. Tait reported as follows:

That the President be, and he is hereby, authorized to occupy and hold the whole or any part of east Florida, including Amelia Island, and also parts of west Florida which are now in the possession and under the jurisdiction of the United States.

SEC. 2. That for the purpose of occupying and holding the country aforesaid, and of affording protection to the inhabitants under the authority of the United States, the President may employ such parts of the military and naval force of the United States as he may deem necessary.

SEC. 3. That for defraying the necessary expenses, one hundred thousand dollars are hereby appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated, and to be applied for the purposes aforesaid under the direction of the President.

SEC. 4. That until further provision shall be made by Congress, the President shall be, and he hereby is, empowered to establish, within the country he may acquire by this act, a temporary government, the civil and military authorities of which shall be vested in such person and persons as he may appoint and be exercised in such manner as he may direct: *Provided*, That he shall take due care for the preservation of social order and for securing to the inhabitants the enjoyment of their personal rights, their religion, and their property: *And provided also*, That the section of country herein designated, that is situated to the eastward of the river Perdido, may be the subject of further negotiation.

(Ex. Jour., vol. 2, pp. 292, 293.)

[See as above.]

TWELFTH CONGRESS, SECOND SESSION.

January 19, 1813.

As to expediency of taking possession of east Florida, Mr. Anderson reported the following resolutions:

Resolved, That the President be, and he hereby is, authorized to occupy and hold all that tract of country called west Florida which

lies west of the river Perdido not now in the possession of the United States.

SEC. 2. That the President be, and he is hereby, authorized to occupy and hold all that part of west Florida east of the Perdido, and the whole or any part of east Florida, including Amelia Island.

SEC. 3. That for the purpose of occupying and holding the country aforesaid and of affording protection to the inhabitants thereof, under the authority of the United States, the President may employ such parts of the military and naval force of the United States as he may deem necessary.

SEC. 4. That for defraying the necessary expenses ——— dollars are hereby appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated, and to be applied for the purposes aforesaid, under the direction of the President.

SEC. 5. That until further provision shall be made by Congress the President shall be, and hereby is, empowered to establish within the country he may acquire by this act a temporary government, the civil and military authorities of which shall be vested in such person and persons as he may appoint and be exercised in such manner as he may direct: *Provided*, That he shall take due care for the preservation of social order and for securing to the inhabitants the enjoyment of their personal rights, their religion, and their property: *And provided also*, That the section of country herein designated that is situated east of the river Perdido may be the subject of future negotiation.

(Ex. Jour., vol. 2, pp. 336, 337, 338.)

[See pp. 5, 15, 18, 19.]

February 2, 1813.

On the message from the President as to relations with foreign powers, Mr. Campbell, of Tennessee, reported as follows:

A BILL vesting in the President the power of retaliation in the cases therein specified.

That if any citizen of the United States in the military service of the United States or of any individual State, or serving on board any public ship of war or any private armed vessel commissioned for war, has been or shall be subjected to capital or other punishment by order of the British Government or of any court, officer, or agent acting under its authority, on the pretense of his having been born within the British Dominions, or on any pretense whatever not warranted by the laws and usages of war among civilized nations, it shall be lawful for the President of the United States, and he is hereby empowered and required, in every such case to cause retaliation by a like punishment to be executed on some person taken in arms in the service of Great Britain against the United States, designating for that purpose, on the first instance, a prisoner who, having been born within the United States and having been a citizen thereof, shall have been taken while voluntarily bearing arms in the service of Great Britain against the United States; or, if there shall be no prisoner of that description, such other prisoner, being a native of some one of the British colonies, now the United States, as may not have been a citizen of the United States; and in case there shall be no prisoner of

either of the said descriptions, it shall then be lawful for the President of the United States to cause the retaliations to be executed on any British subject or subjects wherever found and whether taken in arms or not against the United States: *Provided*, That in every case the act or acts to be retaliated and the liability of the persons to suffer the retaliation shall appear to the satisfaction of a court-martial, of which three field officers at least shall make a part.

(Annals, 12th Cong., 2d sess., 18.)

[See preceding page.]

February 2, 1813.

On message as to foreign relations, Mr. Campbell reported as follows:

A BILL vesting in the President of the United States the power of retaliation.

That in all and every case wherein during the present war between the United States of America and the United Kingdom of Great Britain and Ireland any violations of the laws and usages of war among civilized nations shall be or have been done and perpetrated by those acting under the authority of the British Government on any of the citizens of the United States or persons in the land or naval service of the United States the President of the United States is hereby authorized to cause full and ample retaliation to be made, according to the laws and usages of war among civilized nations, for all and every such violation as aforesaid.

SEC. 2. That in all cases where any outrage or act of cruelty or barbarity shall be or has been practiced by any Indian or Indians in alliance with the British Government, or in connection with those acting under the authority of the said Government, on citizens of the United States or those under its protection, the President of the United States is hereby authorized to cause full and ample retaliation to be done and executed on such British subjects, soldiers, seamen, or marines, or Indians in alliance or connection with Great Britain, being prisoners of war, as if the same outrage or act of cruelty or barbarity had been done under the authority of the British Government.

(Annals, 12th Cong., 2d sess., 18, 70, 71.)

THIRTEENTH CONGRESS, THIRD SESSION.

February 28, 1815.

On message of President recommending certain regulations respecting American seamen, Mr. Bibb reported as follows:

That they fully accord in the policy recommended, of avoiding, by prudent regulations, the occurrence of circumstances which may disturb a liberal intercourse with foreign nations. They are, moreover, persuaded that the navigation of American vessels exclusively by American seamen, either natives or such as are already naturalized, would not only have the tendency to render our commerce and navigation independent of the service of foreigners, but that it would be calculated to remove the pretext under which the American navigation has heretofore been interrupted.

But while the committee consider the subject of the President's message highly important, they regret that the session of Congress is

so near its close that questions affecting the foreign as well as the domestic policy of the nation can not now receive the deliberate and full examination to which they are entitled.

(Leg. Jour., p. 673; Am. St. Pap., vol. 3, p. 750.)

[See pp. 7, 10, 12, 15, 17, 18, 31, 77, 196.]

March 3, 1815.

On the President's message as to unauthorized mode of warfare, adopted by the enemy on the plea of retaliation, Mr. Bibb reported as follows:

That, although the war has happily terminated, they deem it important to rescue the American Government from unworthy imputations with which it has been assailed during its progress. They have, therefore, endeavored to ascertain whether the destruction of York, in Upper Canada, and other cases assumed by our late enemy as authorizing a departure from the settled rules of civilized warfare were of a character to justify or extenuate their conduct.

From the results of the inquiries of the committee, manifesting to the world that the plea which has been advanced for the destruction of the American Capitol and the plunder of private property is without foundation, and will be found in the communications of the Secretaries of the Departments of War and Navy, and of General Dearborn, commander of the American forces in the attack on York, herewith submitted.

(Am. St. Pap., vol. 3, p. 751.)

[See as above.]

FOURTEENTH CONGRESS, FIRST SESSION.

February 15, 1816.

Mr. Bibb, from the Committee on Foreign Relations, to whom was referred the resolution—

That the Senate recommend to and advise the President of the United States to pursue further and friendly negotiations with His Britannic Majesty for the purpose—

First. Of opening and establishing on a satisfactory footing the navigation, trade, and intercourse between the United States and His Majesty's colonies in the West Indies and on the Continent of America.

Second. Of reopening to the United States the navigation of the river St. Lawrence between the northern boundary and the city of Quebec; of opening to them the navigation of that river between Quebec and the ocean, and obtaining for the trade of the United States in that quarter, by the grant of a suitable equivalent, a place of deposit on either bank of the St. Lawrence within the province of Lower Canada.

Third. Of abolishing the duties imposed on goods and merchandise exported from His Majesty's European dominions to the United States, or of reserving to them a right to countervail the same by other and adequate duties, and of placing the vessels of both parties on the same footing in respect to the amount of drawbacks.

Fourth. Of agreeing on and establishing adequate stipulations for the protection of American seamen from British impressment.

Fifth. Of defining the cases which alone shall be deemed lawful blockades.

Sixth. Of enumerating the articles which alone shall be considered contraband of war.

Seventh. Of providing suitable regulations for the prosecution of neutral trade with the colonies of the enemy of either party.

Eighth. Of protecting the vessels and merchandise of each from loss or damage by reason of the retaliatory decrees of either against a third power—

submit the following report:

The view which the committee have taken of the subject renders an examination of the propositions in detail unnecessary. They have confined their inquiries to the considerations, first, whether there be any circumstances which call for the proposed advice, and, secondly, whether there be not serious objections to the interference of the Senate in the direction of foreign negotiations.

In relation to the first branch of inquiry, it is deemed important to ascertain whether the Executive has duly attended to the objects comprised in the resolution and whether the advice of the Senate will furnish aid to his future exertions.

By recurring to documents in possession of the Senate it will be seen that the most unremitted efforts have been employed to obtain satisfactory arrangements upon the points concerning which the advice is proposed. The committee need not refer to the volumes of instructions and correspondence which have been published. They will advert only to the late negotiations at Ghent and London.

The attention of the Executive appears to have been directed, in those negotiations, to two objects—peace and commerce; and authority was given to our ministers to form a treaty for each. By the letter of April 15, 1813, they were instructed to provide against impressment and illegal blockades; to restrict contraband of war to its just limits; to remove restraints on our commerce with enemy colonies; to prohibit the seizure of vessels returning from an enemy's port laden with innocent articles, on the pretext of their having carried thither contraband of war, or on their passage from one port of an enemy to another, or from the port of one independent nation to that of another; to exempt our merchant vessels from the necessity of sending their boats with men and papers on board a British ship of war for the purpose of search. This instruction provides in explicit terms for Nos. 4, 5, 6, and 7 of the resolutions, and by obvious inference for No. 8; for if neutral rights are defined and secured in the instances above specified, the injury suggested in that number could never occur.

The letter of April 27, 1813, which, with other documents, accompanies this report, and which authorized the negotiation of a treaty of commerce in the event of concluding a treaty of peace, directs the attention of our ministers to all the objects of the motion. They are instructed by it to endeavor to open to our commerce every part of the British dominions, on a footing of reciprocity and equality; and are referred, in aid of their own experience and knowledge of the subject, to the light to be derived from the treaty of 1794 and its effect on the general commerce of the country; to the instructions given to Messrs. Monroe and Pinkney, April 17, 1806; to the project of a treaty signed by them on the 31st of December of the same year; and to the subsequent remarks and instructions of the Executive respecting it. By this instruction every subject which could be considered a proper object of arrangement between the United States and Great Britain was committed to the American ministers, and all the light which the labor and talent of preceding times had afforded was communicated as their guide.

The correspondence between the ministers of the United States and those of Great Britain at Ghent and London, and the communications of the former to the Department of State, furnish satisfactory evidence that no effort which belonged to either negotiation was neg-

lected, and that the failure to arrange the subjects embraced by the resolution was owing to the manifest indisposition of the British plenipotentiaries to concur in any satisfactory stipulations concerning them. If, therefore, the committee are correct in stating that the resolution communicates no information not already known to the President, and that he has been faithful in the discharge of his duty, a sufficient pledge is afforded that his exertions will be continued for the future. And this pledge is strengthened by the sentiment expressed in his communication to Congress at the commencement of the present session.

Whether this be the proper moment for renewing negotiations upon the points presented by the resolution, or whether the British Government is now more disposed to arrange them on just and equal conditions than it was in the negotiation lately terminated at London, are questions which the committee have not the information necessary to determine. But if any evidence of such a disposition should appear, it can not reasonably be doubted that the Executive will seize all the advantages it may disclose.

Is it probable that the proposed advice will aid his exertions? It can not be presumed that he entertains any doubt concerning the opinion of the Senate with respect to the interests comprised in the motion; and the committee do not perceive how the expression of solicitude on the part of the Senate in relation to the objects about which no difference of opinion exists can afford any aid whatsoever. Every nation, in making contracts, is supposed to consult its own interests; and it is believed the history of the world does not furnish an example of one party yielding its pretensions in consequence of the disclosure of unusual solicitude by the other party. Should, therefore, the proposed advice be adopted and made public, it does not appear that any beneficial effect would be produced; and if it be kept secret, as is usual in executive business (supposing it to be given by the Senate as a branch of the executive), it would be wholly nugatory.

The committee having endeavored to show that the resolution is unnecessary, they proceed to submit some positive objections to its adoption.

If it be true that the success of negotiations is greatly influenced by time and accidental circumstances, the importance to the negotiating authority of acquiring regular and secret intelligence can not be doubted. The Senate does not possess the means of acquiring such intelligence. It does not manage the correspondence with our ministers abroad, nor with foreign ministers here. It must, therefore, in general, be deficient in the information most essential to a correct decision.

The President is the constitutional representative of the United States with regard to foreign nations. He manages our concerns with foreign nations, and must necessarily be most competent to determine when, how, and upon what subjects negotiation may be urged with the greatest prospect of success. For his conduct he is responsible to the Constitution. The committee consider this responsibility the surest pledge for the faithful discharge of his duty. They think the interference of the Senate in the direction of foreign negotiations calculated to diminish that responsibility, and thereby to impair the best security for the national safety. The nature of transactions with foreign nations, moreover, requires caution and unity of design, and their success frequently depends on secrecy and dispatch. A division of opinion between the members of the Senate in debate, on proposi-

tions to advise the Executive, or between the Senate and Executive, could not fail to give to the nation with whom we might be disposed to treat the most decided advantages. It may also be added that if any benefit be derived from the division of the legislature into two bodies, the more separate and distinct in practice the negotiating and treaty-ratifying powers are kept, the more safe the national interests.

The committee are, therefore, of opinion that the resolution ought not to be adopted.

[Extract of a letter of the 15th April, 1813, from the Secretary of State to the commissioners of the United States.]

The article in the treaty of 1794, which allows British traders from Canada and the Northwest Company to carry on trade with the Indian tribes within the limits of the United States, must not be renewed. The pernicious effects of this privilege have been most sensibly felt in the present war by the influence which it gave to the traders over the Indians, whose whole force has been wielded by means thereof against the inhabitants of our Western States and Territories. You will avoid also any stipulation which might restrain the United States from increasing their naval force to any extent they may think proper on the lakes, held in common; or excluding the British traders from the navigation of the lakes and rivers exclusively within our own jurisdiction.

[Mr. Monroe to Albert Gallatin, John Quincy Adams, and James A. Bayard, esqs.]

DEPARTMENT OF STATE, *April 27, 1813.*

GENTLEMEN: On the presumption that you may be able to conclude a treaty of peace, the President has thought it expedient to authorize you to enter likewise into a treaty of commerce with Great Britain. For this purpose you are furnished with a separate commission.

It will be unnecessary for me to enter into any detail or illustration of this subject with you, who have had so much experience in the important concerns of the United States. You will endeavor to open to our commerce every part of the British dominions, on a footing of reciprocity and equality with each. In pursuing this object you will avail yourselves of the light shed on the subject by the treaty of 1794, and its effects on the general commerce of the country; by the instructions from this Department to Mr. Monroe and Mr. Pinkney, of the 17th May, 1806; by the project of a treaty signed by them with the British commissioners on the 31st of December of the same year; and by the remarks and instructions from this Department respecting that project.

In regulating the trade between the United States and Great Britain you are authorized to adopt the 5th article of the project above recited. Should the British Government be unwilling to regulate the commerce generally between the two countries in a satisfactory manner, you may apply to it the rule of the most favored nation; and should the nonimportatian act not be terminated by the treaty of peace, you may provide for it in the proposed treaty of commerce.

I have the honor, etc.

JAMES MONROE.

[Extract of a letter from the Secretary of State to the American commissioners at Ghent.]

OCTORER 4, 1814.

On the subject of commercial intercourse between the two nations, I will observe generally, that it may be better to avoid all stipulations than to enter into any which are objectionable or questionable. The interest and the wants of both nations will necessarily create, on the return of peace, an extensive commerce between them; and it is to be presumed, when the passions and the prejudices which now govern the British cabinet have subsided, that a more satisfactory provision for that object may be made.

[Extract of a letter from the Secretary of State to John Quincy Adams, esq., London.]

MARCH 13, 1815.

I transmit to you an act of Congress proposing an abolition of all discriminating duties in the commercial intercourse between the United States and other nations. The British Government will, it is presumed, see in this act a disposition in the United States to promote on equal and just conditions an active and advantageous commerce between the two countries. This may lay the foundation of a treaty, but in the meantime it is desirable that the British Government should obtain the passage of a similar act by the Parliament.

JAMES MONROE.

[Extract of a letter from the Secretary of State to John Quincy Adams, esq., London, of the 11th of May, 1815.]

The commissioners of the United States, who concluded the late treaty at Ghent, had power to arrange every other interfering claim with Great Britain, in which it is regretted they did not succeed. The ratification of the treaty by this Government and the exchange of it are understood to have reached England while all our ministers were in Europe. It will be satisfactory to the President to learn that a negotiation has been opened by them with the British Government on these interesting concerns, and highly gratifying should it terminate in the amicable arrangement of every difference.

JAMES MONROE.

[From the American commissioners to the British plenipotentaries.]

GHENT, *December 28, 1814.*

The undersigned have the honor to inform the plenipotentaries of His Britannic Majesty that for the purpose of confirming between the United States and His Majesty perfect harmony and a good correspondence and of removing all grounds of dissatisfaction, the undersigned have been vested with full powers to treat and negotiate for and in the name of the United States with a minister or ministers of His Britannic Majesty furnished with the like power concerning the general commerce between the United States and Great Britain, and its dominions or dependencies, and concerning all matters and subjects connected therewith which may be interesting to the two nations, and to conclude and sign a treaty or convention touching the same.

The undersigned had the honor to give an intimation to that effect in the conference held on the 9th of August with the plenipotentiaries of His Britannic Majesty. The negotiations for the restoration of peace between the two countries having now been brought to a happy conclusion, they renew the communication and avail themselves of this opportunity to reiterate to the British plenipotentiaries the assurance of their high consideration.

JOHN QUINCY ADAMS,
JAMES A. BAYARD,
H. CLAY,
JONATHAN RUSSELL,
ALBERT GALLATIN.

To the PLENIPOTENTIARIES OF HIS BRITANNIC MAJESTY.

April 1, 1816.

[Senate Report No. 73.]

Mr. King, from the Committee on Foreign Relations, to whom was referred the memorial of Thomas B. Wait, William S. Wait, and Silas L. Wait, of Boston, proposing to publish an improved edition of state papers of the United States, with instructions to inquire into the expediency of publishing certain documents which have heretofore been deemed confidential, report:

That the committee have examined the files of confidential docu-

ments in the office of the Secretary of the Senate, from the commencement of the Government to this time, and have considered the various subjects which they embrace, composed, of the most part, of information which the Executives have, from time to time, communicated to the Senate, relative to the intercourse and negotiations with foreign powers, much of which they are of opinion should remain confidential, as the subject-matter still remains unadjusted. The documents enumerated in the subjoined resolution may, in the opinion of the committee, be published without public detriment. The committee, therefore, submit the following resolution:

Resolved, That the injunction of secrecy be removed from the following documents remaining in the office of the Secretary of the Senate:

Message and documents relative to eastern boundary on British territory of February 9, 1790.

Message and documents relative to same subject, February 18, 1790.

Message and documents relative to American prisoners at Algiers, December 30, 1790.

Message and documents relative to trade in the Mediterranean, December 30, 1790.

Message and documents relative to France, January 17, 1791.

Message and documents relative to France, January 19, 1791.

Message and documents relative to France, letter and decree, January 26, 1791.

Message and documents relative to Great Britain, February 14, 1791.

Message and documents relative to Portugal, February, 18, 1791.

Message and documents relative to Algiers and Morocco, February 22, 1791.

Message and documents relative to Spain (navigation of the Mississippi), January 11, 1792.

Message and documents relative to negotiations at Madrid, March 7, 1792.

Message and documents relative to Algiers, May 8, 1792.

Message and documents relative to Spanish interference with Indians, November 7, 1792.

Message and documents relative to transactions with Spain, December 16, 1793.

Message and documents relative to Morocco, Algiers, and prisoners, December 16, 1793.

Message and documents relative to Portugal and Algiers (truce between), December 23, 1793.

Message and documents relative to Spain (letter from representative of), December 30, 1793.

Message and documents relative to France (letters from ministers of), February 7, 1794.

Message and documents relative to Spain (extracts from our ministers at London, also from Carmichael and Short), February 24, 1794.

Message and documents relative to Spain and Algiers, March 3, 1794.

Message and documents relative to Spanish commissioners, March 12, 1794.

Message and documents relative to demand of France for money, March 18, 1794.

Message and documents relative to dispatches from Spain (letter from British minister), April 15, 1794.

Message and document relative to foreign intercourse, February 28, 1795.

Message and documents relative to treaty of Morocco, December 21, 1795.

Message and documents relative to intercourse with Spain, February 29, 1796.

Message and documents relative to affairs with Algiers, January 9, 1797.

Message and documents relative to France, January 19, 1797.

Message and documents relative to Algiers, June 24, 1797.

Message and documents relative to General Washington, July 18, 1798.

Message and documents relative to treaty with Prussia, February 17, 1800.

Message and documents relative to transactions with Barbary powers, March 1, 1802.

Message and documents relative to treaty with Great Britain (British debts), March 29, 1802.

Message and documents relative to treaty with Great Britain respecting boundaries, October 24, 1803.

Message and documents relative to war with Tripoli, January 13, 1806.

Message and documents relative to same subject, February 4, 1806.

Message and documents relative to ship *New Jersey*, March 6, 1806.

Message and documents relative to same subject, March 7, 1806.

Message and documents relative to Spanish innovations, March 19, 1806.

Message and documents relative to ex-Bashaw of Tripoli, November 11, 1807.

Message and documents relative to *Chesapeake* and *Leopard*, December 7, 1807. And that copies of the said messages and documents be prepared, under the direction of the Secretary of the Senate, and delivered to Thomas B. Wait, William S. Wait, and Silas L. Wait.

[See pp. 11, 16, 32, 119, 120, 199, 276.]

FIFTEENTH CONGRESS, FIRST SESSION.

January 10, 1818.

On so much of the President's message as relates to the illicit introduction of slaves from Amelia Island, Mr. Barbour reported as follows:

That, having applied to the Department of State for information respecting the illicit introduction of slaves into the United States, they were referred by the Secretary of State to the documents transmitted to this House by the President's message of the 15th of December last, consisting of various extracts of papers on the files of the Departments of State, of the Treasury, and of the Navy, relative to the proceedings of certain persons who took possession of Amelia Island in the summer of the past year, and also relative to a similar establishment previously made at Galveston, near the mouth of the river Trinity.

Upon a full investigation of these papers, with a view to the subject committed to them, your committee are of opinion that it is but too notorious that numerous infractions of the law prohibiting the importations of slaves into the United States have been perpetrated with impunity upon our southern frontier, and they are further of opinion that similar infractions would have been repeated, with increasing activity, without the timely interposition of the naval force, under the direction of the Executive of our Government.

In the course of their investigation, your committee have found it difficult to keep separate the special matter given into their charge from topics of a more general nature which are necessarily interwoven therewith; they therefore crave the indulgence of the House while they present some general views connected with the subject which have developed themselves in the prosection of their inquiry.

It would appear from what can be collected from these papers that numerous violations of our laws have been latterly committed by a combination of freebooters and smugglers of various nations, who located themselves, in the first instance, upon an uninhabited spot, near the mouth of the river Trinity, within the jurisdictional limits of the United States, as claimed in virtue of the treaty of cession of Louisiana by France. This association of persons organized a system of plunder upon the high seas, directed chiefly against Spanish property, which consisted frequently of slaves from the coast of Africa, but their conduct appears not always to have been regulated by a strict regard to the national character of vessels falling into their hands when specie or other valuable articles formed part of the cargo. Their vessels generally sailed under a pretended Mexican flag, although it does not appear that the establishment at Galveston was sanctioned by or connected with any other Government. The presumption, too, of any authority ever having been given for such an establishment is strongly repelled as well by its piratical character as its itinerant nature, for the first position at Galveston was abandoned on or about the 5th of April last for one near Matagorda, upon the Spanish territory; and at a later period this last was abandoned and a transfer made to Amelia Island, in East Florida, a post which had

been previously seized by persons who appear to have been equally unauthorized and who were at the time of the said transfer upon the point, it is believed, of abandoning their enterprise, from the failure of resources, which they expected to have drawn from within our limits in defiance of our laws. There exists on the part of these sea rovers an organized system of daring enterprise, supported by force of arms; and it is only by a correspondent system of coercion that they can be met and constrained to respect the rights of property and the laws of nations. It is deeply to be regretted that practices of such a character within our immediate neighborhood and even within our jurisdictional limits should have prevailed unchecked for so long a time, the more especially as one of their immediate consequences was to give occasion to the illicit introduction of slaves from the coast of Africa into these United States and thus to revive a traffic repugnant to humanity and to all sound principles of policy, as well as severely punishable by the laws of the land.

By the seventh section of the act prohibiting the importation of slaves, passed in 1807, the President is fully authorized to employ the naval force to cruise on any part of the United States or Territories thereof where he may judge attempts will be made to violate the provisions of that act, in order to seize and bring in for condemnation all vessels contravening its provisions, to be proceeded against according to law.

By the joint resolution of the Senate and House of Representatives of the 15th of January, 1811, and the act of the same date, the President is fully empowered to occupy any part or the whole of the territory lying east of the river Perdido and south of the State of Georgia in the event of an attempt to occupy the said territory or any part thereof by any foreign government or power, and by the same resolution and act he may employ any part of the Army and Navy of the United States which he may deem necessary for the purpose of taking possession of and occupying the territory aforesaid and in order to maintain therein the authority of the United States.

Among the avowed projects of the persons who have occupied Amelia Island was that of making the conquest of East and West Florida, professedly for the purpose of establishing there an independent government, and the vacant lands in those provinces have been, from the origin of this undertaking down to the latest period, held out as lures to the cupidity of adventurers and as resources for defraying the expenses of the expedition. The greater part of West Florida being in the actual possession of the United States, this project involved in it designs of direct hostility against them, and as the express object of the resolution and act of January 15, 1811, was to authorize the President to prevent the province of East Florida from passing into the hands of any foreign power, it became the obvious duty of the President to exercise the authority vested in him by that law. It does not appear that among these itinerant establishers of republics and distributers of Florida lands there is a single individual inhabitant of the country where the republic was to be constituted and whose lands were to be thus bestowed. The project was therefore an attempt to occupy that territory by a foreign power. Where the profession is in such direct opposition to the fact; where the venerable forms by which a free people constitute a frame of government for themselves are prostituted by a horde of foreign freebooters for purposes of plunder; if, under color of authority from any of the provinces contending for their independence, the Floridas, or either of them, had been permitten to pass into the hands of such a power, the committee are per-

suaded it is quite unnecessary to point out to the discernment of this House the pernicious influence which such a destiny of the territories in question must have had upon the security, tranquillity, and commerce of this Union.

It is a matter of public notoriety that two of the persons who have successively held the command at Amelia Island, whether authorized themselves by any government or not, have issued commissions for privateers as in the name of the Venezuelan and Mexican Governments to vessels fitted out in the ports of the United States and chiefly manned and officered by our own countrymen for the purpose of capturing the property of nations with which the United States are at peace. One of the objects of the occupation of Amelia Island, it appears, was to possess a convenient resort for privateers of this description, equally reprobated by the laws of nations, which recognize them only under the denomination of pirates, and by several of the treaties of the United States with different European powers, which expressly denominate them as such. It was against the subjects of Spain, one of the powers with which the United States have entered into stipulations prohibiting their citizens from taking any commission from any power with which she may be at war for arming any ships to act as privateers, that these vessels have been commissioned to cruise, though, as the committee have observed, no flag, not even that of our own country, has proved a protection from them.

The immediate tendency of suffering such armaments in defiance of our laws would have been to embroil the United States with all the nations whose commerce with our country was suffering under these depredations, and if not checked by all the means in the power of the Government would have authorized claims from the subjects of foreign Governments for indemnities at the expense of this nation for the captures by our people in vessels fitted out in our ports, and, as could not fail of being alleged, countenanced by the very neglect of necessary means of oppressing them. The possession of Amelia Island as a port of refuge for such privateers and of illicit traffic in the United States of their prizes, which were frequently, as before stated, slave ships from Africa, was powerful encouragement and temptation to multiply these violations of our laws, and made it the duty of the Government to use all the means in its power to restore the security of our own commerce and of that of friendly nations upon our coast, which could in no other way more effectually be done than by taking from this piratical and smuggling combination their place of refuge.

In order, therefore, to give effect to the intentions of the legislature, and in pursuance of the provisions of the above-recited resolution and act, it became necessary, as it appears to the committee, to suppress all establishments of the hostile nature of those above described, made in our vicinity, the objects of which appear to have been the occupation of the Floridas, the spoliation of peaceful commerce upon and near our coasts by piratical privateers, the clandestine importation of goods, and the illicit introduction of slaves within our limits. Such establishments, if suffered to subsist and strengthen, would probably have rendered nugatory all provisions made by law for the exclusion of prohibited persons. The course pursued on this occasion will strongly mark the feelings and intentions of our Government upon the great question of the slave trade, which is so justly considered by most civilized nations as repugnant to justice and humanity, and which in our particular case is not less so to all the dictates of a sound policy.

Your committee anticipate beneficial results from the adoption of

these measures by the Executive in the promotion of the security of our southern frontier and its neighboring seas, and in the diminution of the invasions, latterly so frequent, of our revenue and prohibitory laws. The experience of ten years has, however, evinced the necessity of some new regulations being adopted in order effectually to put a stop to the further introduction of slaves into the United States. In the act of Congress prohibiting this importation the policy of giving the whole forfeiture of vessels and goods to the United States and no part thereof to the informer may justly be doubted. This is an oversight which should be remedied. The act does, indeed, give a part of the personal penalties to the informer, but these penalties are generally only nominal, as the persons engaged in such traffic are usually poor. The omission of the States to pass acts to meet the act of Congress, and to establish regulations in aid of the same, can only be remedied by Congress legislating directly upon the subject themselves, as it is clearly within the scope of their constitutional power to do.

(Am. St. Pap., Vol. 4, p. 132.)

March 23, 1818.

Mr. Barbour, from the Committee on Foreign Relations, to whom was referred the resolution as to the expediency of establishing a consulate at Mogadore, in the Empire of Morocco, made the following report:

The Committee on Foreign Relations beg to report that the law of the United States regulating the intercourse with the Barbary States prohibits the establishment of more than one consulate in each. In Morocco a consul of the United States has resided at Tangiers since the year 1795. There does not appear to be any sufficient inducement to change the residence of the consul or to establish an additional officer to the same Government, clothed with the same powers and enjoying the like emoluments. All the advantages to be derived from such an arrangement without any of its obvious inconveniences may be secured by the employment of an agent residing in Mogadore and subject to the control of the established consulate.

They are of the opinion that it is not expedient to change the existing law.

[See pp. 5, 8, 122.]

April 1, 1818.

On an act in addition to the "Act for the punishment of certain crimes against the United States," and to repeal the acts therein mentioned, Mr. Barbour reported as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any citizen of the United States shall, within the territory or jurisdiction thereof, accept and exercise a commission to serve a foreign prince, state, colony, district, or people, in war by land or by sea, against any prince, state, colony, district, or people with whom the United States are at peace, the person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than two thousand dollars and shall be imprisoned not exceeding three years.

SEC. 2. *And be it further enacted*, That if any person shall, within

the territory or jurisdiction of the United States, enlist or enter himself, or hire or retain another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, state, colony, district, or people, as a soldier or as a marine or seaman on board of any vessel of war, letter of marque, or privateer, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding one thousand dollars and be imprisoned not exceeding three years: *Provided*, That this act shall not be construed to extend to any subject or citizen of any foreign prince, state, colony, district, or people who shall transiently be within the United States and shall, on board of any vessel of war, letter of marque, or privateer which at the time of its arrival within the United States was fitted and equipped as such, enlist or enter himself, or hire or retain another subject or citizen of the same foreign prince, state, colony, district, or people on board such vessels of war, letter of marque, or privateer, if the United States shall then be at peace with such foreign prince, state, colony, district, or people.

SEC. 3. *And be it further enacted*, That if any person shall, within the limits of the United States, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly be concerned in the furnishing, fitting out, or arming of any ship or vessel with intent that such ship or vessel shall be employed in the service of any foreign prince or state, or of any colony, district, or people, to cruise or commit hostilities against the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace, or shall issue or deliver a commission within the territory or jurisdiction of the United States, for any ship or vessel, to the intent that she may be employed as aforesaid, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not more than ten thousand dollars and imprisoned not more than three years; and every such ship or vessel, with her tackle, apparel, and furniture, together with all materials, arms, ammunition, and stores, which may have been procured for the building and equipment thereof, shall be forfeited, one-half to the use of the informer and the other half to the use of the United States.

SEC. 4. *And be it further enacted*, That if any citizen or citizens of the United States shall, without the limits thereof, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly aid or be concerned in the furnishing, fitting out, or arming, any private ship or vessel of war, or privateer, with intent that such ship or vessel shall be employed to cruise, or commit hostilities upon the citizens of the United States or their property, or shall take the command of or enter on board of any such ship or vessel for the intent aforesaid, or shall purchase any interest in any such ship or vessel with a view to share in the profits thereof, such person so offending shall be deemed guilty of a high misdemeanor and fined not more than ten thousand dollars and imprisoned not more than ten years; and the trial for such offense, if committed without the limits of the United States, shall be in the district in which the offender shall be apprehended or first brought.

SEC. 5. *And be it further enacted*, That if any person shall, within the territory or jurisdiction of the United States, increase or augment, or procure to be increased or augmented, or shall knowingly be concerned in increasing or augmenting the force of any ship of war, cruiser, or other armed vessel which at the time of her arrival within

the United States was a ship of war, cruiser, or armed vessel in the service of any foreign prince or state, or of any colony, district, or people, or belonging to the citizens or subjects of any such prince or state, colony, district, or people, with whom the United States are at peace, by adding to the number of the guns of such vessel, or by changing those on board of her for guns of a larger caliber, or by the addition thereto of any equipment solely applicable to war, every person so offending shall be deemed guilty of a high misdemeanor, shall be fined not more than one thousand dollars and be imprisoned not more than one year.

SEC. 6. *And be it further enacted*, That if any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare the means for any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people with whom the United States are (at) peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars and imprisoned not more than three years.

SEC. 7. *And be it further enacted*, That the district courts shall take cognizance of complaints, by whomsoever instituted, in cases of captures made within the waters of the United States, or within a marine league of the coasts or shores thereof.

SEC. 8. *And be it further enacted*, That in every case in which a vessel shall be fitted out and armed, or attempted to be fitted out and armed, or in which the force of any vessel of war, cruiser, or other armed vessel shall be increased or augmented, or in which any military expedition or enterprise shall be begun or set on foot contrary to the provisions and prohibitions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States as before defined, and in every case in which any process issuing out of any court of the United States shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, cruiser, or other armed vessel of any foreign prince or state, or of any colony, district, or people, or of any subjects or citizens of any foreign prince or state, or of any colony, district, or people, in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, for the purpose of taking possession of and detaining any such ship or vessel, with her prize or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring the prize or prizes in the cases in which restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States against the territories or dominions of any foreign prince or state, or any colony, district, or people with whom the United States are at peace.

SEC. 9. *And be it further enacted*, That it shall be lawful for the President of the United States, or such person as he shall empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary to compel any foreign ship or vessel to depart the United States in all cases in which, by the laws of nations or the treaties of the United States, they ought not to remain within the United States.

SEC. 10. *And be it further enacted*, That the owners and consignees

of every armed ship or vessel sailing out of the ports of the United States, belonging wholly or in part to citizens thereof, shall enter into bond to the United States, with sufficient sureties, prior to clearing out the same, in double the amount of the value of the vessel and cargo on board, including her armament, that the said ship or vessel shall not be employed by such owners to cruise or commit hostilities against the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace.

SEC. 11. *And be it further enacted*, That the collectors of the customs be, and they are hereby, respectively authorized and required to detain any vessel manifestly built for warlike purposes and about to depart the United States, of which the cargo shall principally consist of arms and munitions of war, when the number of men shipped on board, or other circumstances, shall render it probable that such vessel is intended to be employed by the owner or owners to cruise or commit hostilities upon the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, until the decision of the President be had thereon, or until the owner or owners shall give such bond and security as is required of the owners of armed ships by the preceding section of this act.

SEC. 12. *And be it further enacted*, That the act passed on the fifth day of June, one thousand seven hundred and ninety-four, entitled, "An act in addition to the act for the punishment of certain crimes against the United States," continued in force for a limited time by the act of the second of March, one thousand seven hundred and ninety-seven, and perpetuated by the act passed on the twenty-fourth of April, one thousand eight hundred, and the act passed on the fourteenth day of June, one thousand seven hundred and ninety-seven, entitled, "An act to prevent citizens of the United States from privateering against nations in amity with or against the citizens of the United States," and the act passed the third day of March, one thousand eight hundred and seventeen, entitled, "An act more effectually to preserve the neutral relations of the United States," be, and the same is hereby, severally repealed: *Provided, nevertheless*, That persons having heretofore offended against any of the acts aforesaid may be prosecuted, convicted, and punished as if the same were not repealed; and no forfeiture heretofore incurred by a violation of any of the acts aforesaid shall be affected by such repeal.

SEC. 13. *And be it further enacted*, That nothing in the foregoing act shall be construed to prevent the prosecution or punishment of treason, or any piracy defined by the laws of the United States.

(Leg. Jour., p. 304; Stat. L., vol. 3, p. 447.)

SEVENTEENTH CONGRESS, FIRST SESSION.

May 8, 1822.

On the message of the President of the United States concerning the duties on English hammered iron, Mr. King, of New York, reported as follows:

That owing to the late period of the session when the subject was referred to the committee they have not been able to give that atten-

tion to the same which its importance demands; they therefore recommend that the committee be discharged from the further consideration of the message and letters from the envoy of England, and that the same be referred to the next session of the Senate.

(Annals, 17th Cong., 1st sess., 464.)

May 8, 1822.

As to the correspondence between the Secretary of State and the chargés des affaires of Sweden, Mr. King, of New York, reported as follows:

That as the Secretary of State has sufficiently explained the laws of the United States on the subject of his correspondence with the chargés des affaires of Sweden, the committee be discharged from further consideration of the message and correspondence referred to them.

(Annals, 17th Cong., 1st sess., 464.)

[See pp. 11, 16, 25, 119, 120, 199, 276.]

EIGHTEENTH CONGRESS, SECOND SESSION.

January 10, 1825.

[Senate Report No. 9.]

Mr. Barbour, from the Committee on Foreign Relations, submitted a report on so much of the President's message as relates to piracies:

That our commerce for years has been harassed and the lives of our citizens destroyed by pirates, issuing from the colonies of Spain in the West Indies, is a fact derived not only from the message of the President, but is of universal notoriety. These outrages have been so long and so often repeated and marked with such atrocious circumstances that a detail of the particular cases would be as impracticable as unnecessary. Our Government, with a view to protect our citizens, has resorted to the means within their power, by stationing a naval force near the places where the pirates resort; a measure also pursued by other powers. Every effort heretofore has been unavailing to put an end to these atrocities. These desperadoes, acquiring confidence from impunity, becoming more ferocious from habit, and multiplying by recruits from the most abandoned of other nations, threaten the most disastrous mischiefs, justly alarming to that highly valuable and most respectable portion of our fellow-citizens whose pursuits are on the high seas. It is manifest, as well from facts derived from other sources as from the message of the President, that the continuance of this evil is ascribable to the asylum afforded the banditti in the colonies of Spain. The Government of the United States, cherishing the most amicable disposition toward Spain, has presented the subject with great earnestness to the Spanish Government, demanding reparation for the past and security for the future. To these reiterated remonstrances no answer was returned till very recently, and to this day all that has been obtained is a promise of a satisfactory answer to the applications of the Government of the United States, although Spain has been solemnly warned that if she did not promptly

acquit herself of her obligations to us on this subject our Government would be constrained from the nature of the outrages to become its own avenger, and, availing itself of its own resources, protect the commerce and lives of the American citizens from destruction. In the same spirit of conciliation an appeal has been made to the local authorities, accompanied with a request that if from weakness they were unable to exterminate the hordes of banditti who take shelter from pursuit within their territories, that permission might be given our forces to pursue them on land. This has been denied on the vain punctilio of national dignity. The posture in which Spain now stands is that of connivance in these injuries or incapacity to prevent them. "A sovereign who refuses to cause reparation to be made of the damage caused by his subject, or to punish the guilty, or in short to deliver him up, renders himself an accomplice in the injury and becomes responsible for it." If the committee were of opinion that the refusal on the part of Spain was willful, and not the result of inability, they would, with a full view of all the consequences which the measure involves, at once recommend an appeal to the last resort of nations against Spain and all her dependencies, but believing as they do that courtesy requires that her refusal to do us justice should be placed on the ground of inability—an inability resulting from causes which the committee intentionally forbear to enumerate—they content themselves with recommending only such measures as are believed to be indispensable effectually to reach the mischief. And hence they beg leave to present a bill with suitable provisions for the end designed.

(Am. St. Pap., vol. 5, p. 489.)

[See pp. 78, 199, 219.]

TWENTIETH CONGRESS, FIRST SESSION.

April 28, 1828.

[Senate Report No. 178.]

Mr. Tazewell made the following report:

The Committee on Foreign Relations, to whom were referred sundry petitions and memorials, and the resolutions of several legislatures of different States in relation to the colonization of persons of color, have had all the said documents under their consideration, and now beg leave to report:

That they have not been able to discover, in the several petitions, memorials, and resolutions to them referred, any precise and common object which the different applicants desire should be accomplished by the exertion of the legislative powers of Congress. The memorial of the American society for colonizing the free people of color of the United States recommends generally to the aid and patronage of the Government the plan of that society for promoting its objects by colonizing the free people of color, without indicating in what particular mode they wish the aid and patronage so solicited to be exerted or furnished. This general recommendation of the American Colonization Society is supported by a resolution of the legislature of the State of Ohio as general as itself. The petition of sundry citizens of the State of Pennsylvania is somewhat more precise. This prays that a suitable asylum may be provided by the United States, somewhere on the coast of Africa, for the reception of such free persons of color as

may wish to migrate to it. Sundry citizens of the State of Ohio, and others of Minot, in the county of Cumberland, in the State of Maine, have also presented memorials containing similar applications, and praying that the asylum so to be provided may be opened to such slaves as the humanity of individuals and the laws of the different States may permit to emigrate thither. In connection with this measure these latter memorialists also suggest the importance of setting apart, from the annual revenue of the Government of the United States, a suitable fund for furnishing not only the means of transportation to such free people of color as may be desirous of emigrating, but also the necessary aids to such humane individuals as may think proper to liberate their slaves with a view to their colonization on the coast of Africa.

It would appear, therefore, from all these different applications, that the applicants wish, generally, that the United States should exert their power and their means: First, to acquire a territory somewhere on the coast of Africa, which when acquired should be opened as an asylum for the reception of free persons of color and liberated slaves; secondly, that the United States should set apart a portion of their annual revenue in order to constitute a fund for the transportation of such persons to the asylum so to be provided; and, lastly, that to effect these objects the better, the United States should extend their aid and protection to the existing society of individuals known and distinguished as the American Colonization Society.

Against the adoption of any of these measures the legislature of the State of Georgia, by a resolution of that body, have preferred a most solemn protest. In this they explicitly deny the right of Congress to grant any such applications, and plainly intimate the strongest objections to the expediency of doing so, even if the right was conceded. The legislature of the State of South Carolina have also adopted similar resolutions in relation to this matter, containing the like solemn negation of the right of the Government of the United States in this respect; and all these resolutions have been referred by the Senate to this committee.

Under such circumstances the committee, while investigating the subjects to them referred, have felt themselves constrained by no ordinary considerations to examine most attentively the various questions which they present. And that the reasons from which are deduced the conclusions—of whose correctness they themselves are well satisfied—may be subject to the same tests in the Senate to which they have been submitted in the committee, they will now state them.

The first question which arises is: Does the Constitution of the United States grant to this Government any right to acquire new territory for the purpose and in the quarter where these applicants propose such territory should be acquired?

The acquisition of new territory, no matter where such territory may be situated, or in what mode or for what purpose such acquisition may be made, is an exercise of one of the highest powers which any Government can ever exert. Such a power necessarily includes the right of governing and disposing of the territory so acquired, either according to the will of the acquiring sovereign or according to the terms and conditions which may be annexed to the acquisition at the time it is made. Comprehending these high functions, it also implies the power of acting upon and altering materially most of the political and many of the civil relations that preexisted in the nation by which the acquisition is made, because all these relations must have been

established in reference to a condition of things very different from that which will exist after the empire is enlarged by the addition of the newly acquired domain.

Such being the character of the power which it is proposed the United States should now exert, and the possession of such a power being solemnly denied to them by several of the sovereign States, from whom they derive all their authority, it is due, not less to the high character of those who deny the grant of this power than to the effects which may result from its exercise, that all the sources from whence it may legitimately flow should be carefully examined. It is only by such an examination that a correct opinion can be formed as to the right of the United States to employ such a power upon this occasion.

All the examples which history furnishes of new territory acquired by any nation in past time exhibit but three modes in which such acquisition hath ever been made. These are by discovery, conquest, or negotiation, and this committee can not conceive any other means by which new territory can ever be acquired by any sovereign. If this be so, then a government which is not endowed with the power of prosecuting discoveries, of making conquests, or of conducting negotiations can not enjoy the legitimate right of acquiring new territory; for it can not be overlooked that, high and important as is this power of acquiring new territory, yet, from its very nature, it can not be a substantive power, but must always exist in connection with and as a mere consequence of some one or more of the other great powers that afford the only means by which it can ever be exerted. Instead, therefore, of inquiring whether the United States possess the specific right of acquiring new territory, the inquiry should rather be, Do they enjoy fully the general powers before mentioned, the exercise of which necessarily and properly includes this as an incidental right?

Every government charged with the exclusive direction of the exterior relations of the nation for which it was designed, and specially endowed with the general powers of regulating its commerce, of waging war, and of conducting negotiations, must enjoy, as incident to these powers, the right of prosecuting discoveries, of achieving conquests, and of concluding treaties, and, consequently, must enjoy the right of acquiring new territory by any of these means, unless this natural incident of the powers granted is expressly denied to such government by those who created and so endowed it. The Federal Constitution specially grants to the Government of the United States all these general powers, and contains no direct inhibition of the right of acquiring new territory, which, as has been said, necessarily and naturally flows from each of them. The committee therefore can not doubt that the Government of the United States does possess the right of acquiring new territory by some of the modes before referred to whenever the case may occur to which any of these modes of acquiring new territory is properly applicable. They see, moreover, that the past practice of this Government has conformed to this opinion in the memorable examples of the acquisition of the territory of Louisiana from France and of Florida from Spain.

But while the committee can readily discern the source of the right asserted by the Government of the United States in the cases referred to, and can as distinctly perceive that such a right may at any time hereafter be legitimately asserted as an incident and consequence of some of the high powers to which they have referred it whenever the case may arise to which these powers properly apply, they can not discover what support this opinion can afford to the legitimate

acquisition of the new territory which is proposed upon the present occasion.

The whole coast of the great peninsula of Africa was discovered a very long time since by many different civilized nations, even before America itself was visited by any inhabitant of the Old World, and if more of the discovered countries there situated have not been occupied by those civilized nations who have so long known, by so frequently visiting them, the causes that have restrained others from such occupation merit at least as much consideration from the United States as they have received from the elder members of the family of civilized man. At all events, these notorious facts suffice to show that at this day the United States are as much precluded by the usages of nations from advancing any claim to new territory there situated, upon the ground of first discovery and prime occupancy, as they would be precluded from asserting such a title to any new territory they might wish to acquire upon the coasts of Patagonia or of Japan. Any nation may possibly support a right to acquire new territory upon the known coasts of Africa in virtue of either of the other great sources of such right, but none can found any pretension to acquire territory there now upon the ground of first discovery.

Doubtless the United States possess the power of declaring war, and, as a consequence of this power, the right to push hostilities through victory to conquest and so to acquire the dominions of their enemies; but this power of waging war, like all the other discretionary powers conferred by the Constitution, is necessarily limited by the ends and objects for which alone it may be rightfully exerted. Now, as war itself is never to be justified except as a means necessary to the preservation of permanent peace and greater security, and can never be rightfully declared for the single and naked purpose of acquiring territory, therefore the right of acquiring territory in the proposed case by any such means can not be conceded to belong to the Government of the United States. The remote position, the ignorance, the poverty, and the imbecility in which all the savage hordes occupying the coast of Africa have ever existed, and must continue to exist for a long period yet to come, place it beyond credulity that any or all of them can now threaten the peace or disturb the security of any—the most weak and exposed spot in this hemisphere. Defensive war on our part with any of these tribes is at present impossible, and offensive war against such a people in order to strip them of their possessions can never be justified. The mere capacity to wage war for such a purpose with these or any other people the United States unquestionably possess, but until all distinction between power and right shall be forgotten; until the limits of the one shall be supposed to be found only in the measure of the other, the constitutional power of the United States to wage any war can never be admitted to bestow upon their Government the constitutional right to acquire new territory by means of an unjustifiable war waged upon the unoffending inhabitants of the coast of Africa. The right of the United States to acquire new territory there at this time can not, therefore, be derived from their general power to declare war more than it can be deduced from their right to prosecute discoveries in virtue of their general power to regulate commerce.

The only remaining source of this right to acquire new territory is in the power to make treaties. This, too, is a discretionary power granted to the United States by the Constitution; but, like all the other powers of this kind thereby conveyed, it has its limits—limits

to be found not less in the specified ends and objects for which the Government itself was created, but in the nature and character of the power itself. Without attempting to define what these limits are, the committee will merely remark that from the very nature of this power it is one which can only be exercised by two or more sovereigns acting together for the attainment of the same object by means of a compact which, when concluded, is to be obligatory upon the whole people governed by such sovereigns. None but sovereigns can enter into such an agreement, and the parties, being all sovereign, are, of course, equal in that respect.

Many and important are the consequences, not only to the contracting parties themselves but to the whole civilized world, which result from the mere fact of concluding a treaty. It is a recognition of the sovereignty and independence of the parties by each other. From this many results flow and obligations attach to either in all their future intercourse. Such being the effects of the exertion of this power of making treaties, civilized nations have rarely believed themselves at liberty to conclude them with any savage people until many events had combined to prove that such people were capable and sincerely disposed to maintain the rights and to conform to the usages which, for the wisest reasons, have been acknowledged and adopted to regulate the relations and intercourse between the different members of the family of nations. Therefore it is that no civilized nation in modern times hath ever entered into a treaty with any of the savage tribes who wander over the deserts or dwell upon the coast of Africa; and numerous circumstances exist (which need not be here repeated) that, in the opinion of this committee, are sufficient to restrain the United States from being the first to enter into such a compact with any such people, especially for the purpose of enlarging the limits of our present wide-spread empire. Some of these circumstances have hitherto been considered as sufficient to prevent this from being done by the United States, for very different purposes, with another people whose situation in all respects is certainly much more elevated in the scale of civilization than that which any of the savage tribes of Africa have yet attained.

In the pursuit of their private avocations enterprising individuals have often attained from some of these tribes the privilege of making establishments for various purposes within the limits of their supposed possessions. When these establishments in after time had acquired a growth and consequence sufficient to require the attention and protection of the nations to which the individuals engaged in them were subject, such nations have granted to these their subjects the aid of their power to guard them from lawless violence and to protect their honest acquisitions. But this committee are not aware that any civilized nation hath ever yet concluded a solemn treaty with any of the people of Africa, the direct object of which was to extend its dominions by the surrender of their possessions, or has ever regarded any of these tribes as a moral being, capable of entering into and disposed to conform to the obligations of such compacts. This right of acquiring new territory, which it is proposed the United States should exert in order to make such acquisition upon the the coast of Africa, can therefore derive as little support at this time from the treaty making as it has been shown to derive from the other great powers of the Government of the United States.

Should it be supposed that the example of the nominal treaties concluded between the United States and the various savage tribes

inhabiting within their acknowledged dominions, by some of which nominal treaties the Indian title to territory there situated has been extinguished, constitutes any exception to the position here asserted, a very slight notice of the peculiar character of these instruments and of the situation of the parties will furnish a sufficient answer to this supposition. The Indian title so extinguished is but a mere usufructuary interest enjoyed by the courtesy and under the permission of the United States, who long since acquired the acknowledged sovereignty and dominion over the territory so possessed. In extinguishing such an interest the United States do not acquire any new territory; they merely exempt that territory which they before held from an incumbrance to which their humanity had previously subjected it. By concluding such compacts the United States do not recognize the independent sovereignty of the people whose rights of possession are so extinguished, and the Senate require not to be informed by their committee of the particular local considerations which, at the very commencement of this Government, made it highly desirable, if not indispensably necessary, that the form and manner of effecting the extinction of this possessory right, which was not prescribed by the Constitution, should be by a nominal treaty rather than by statute, as under other circumstances would probably have been the case.

But if it was even conceded that the treaty-making power of the United States was equal to the legitimate acquisition of new territory either within or contiguous to their original dominions (as it certainly is), this committee do not see in such a concession any foundation for the opinion that this power would extend to the acquisition of a distant territory in another quarter of the globe, separated from the United States by a wide ocean. These circumstances of themselves, if none other existed, would necessarily convert such a territory, when acquired, either into a sovereignty independent of the United States or into a colony absolutely dependent upon them. A country so situated could never be admitted into this Union as an integral part of the confederation, because, in the nature of things, it could never contribute its just proportion of the blessings or bear its proper share of the responsibilities of our representative democracy. Our established system of uniform laws, too, must necessarily work its speedy ruin or cripple and greatly impair the beneficial effects of that system upon the other parts of the Empire. The new territory, when acquired, must therefore ever continue in a state of colonial bondage, deprived of all hope of being ever admitted into the Union, or it must be endowed with the character and attributes of a sovereign State, entirely independent of the parent country. To suppose, however, that our free Constitution was ever designed to vest in the United States a power of establishing and holding distant colonies, to be always retained in a state of colonial bondage to the mother country, or of creating new empires absolutely independent of it, is an opinion which this committee believe to be opposed to the whole theory of that Constitution and to the genius and spirit of all our institutions.

In all the cases in which the United States have ever yet acquired new territory, this has been done upon the expressed condition that the territory so acquired, and its inhabitants, should thereafter be admitted into the Union as a part and equal member of this confederation. This practice, in the opinion of this committee, is in strict conformity with that provision of the Constitution which authorizes the admission

of new States into the Union, and which was probably intended to provide for the very case of new territory acquired by some of the means before referred to. Indeed this committee would be at a loss to discover in the Constitution any foundation for the permanent acquisition of new territory upon any other terms.

If the committee are correct in the opinions which they have thus expressed, then, although it is true that the Government of the United States does possess the right to acquire new territory under particular circumstances and for a certain purpose, yet this Government can not now rightfully exercise any such power in the mode and for the purpose proposed by any of these applicants. It is true that some of the applicants have deduced this right of acquiring new territory from other powers vested by the Constitution in the Government of the United States than those to which alone the committee have referred it; but the committee can not concur either in the principles or application of the reasoning resorted to for the purpose of showing the rightful possession of such power by this Government.

The petition of the colonization society refers specially to the power of Congress to provide for the common defense and to promote the general welfare as to a general authority bestowed upon this body by the Constitution in virtue of which the United States may lawfully acquire distant territory or do any other of the acts which this society wishes to be performed. But the error of this construction, which would convert a mere limitation into a grant of power, and into a grant, too, of power unlimited, has been so often exhibited and established that this committee do not feel justified now in again examining it minutely. They will merely remark that although to provide for the common defense and to promote the general welfare are some of the great objects for which this Government was established, yet the manner of attaining even these great objects is prescribed in the enumeration of the limited powers specially delegated to the Government for their accomplishment. It is by the exercise of these granted powers, and of none other whatever, that the common defense can be provided for or the general welfare promoted. Now, the power of acquiring new territory is not one of the powers specially enumerated in the Constitution by the employment of which the common defense may be provided for or the general welfare promoted. This is a power which the United States enjoy as a mere incident of the powers of regulating commerce, of declaring war, or of negotiating treaties, all of which powers are expressly granted to them. Being thus derived, any circumstance, whether physical, moral, or political, which constitutes a necessary limitation or bar to the legitimate exercise of the great powers before referred to must unavoidably obstruct the acquisition of new territory by any such means; and these being the only means that can be legitimately employed for that end, the end is prohibited when the use of these necessary means is denied. Any other construction of the Constitution would convert the Government of the United States, which confessedly is limited, both in object and power, into a Government unlimited in either of those respects. Nay, it would justify even the annihilation of the State sovereignties themselves whenever the existence of these might be regarded by the authorities of the United States as impediments to the common defense or obstacles in the promotion of the general welfare.

A similar answer may be given to another suggestion presented in some of the documents the committee have had under their consideration. In some of these it is said that the power to acquire distant

territory, although not specially granted to the United States by the Constitution, may yet be inferred from the power of appropriating the public revenue, which seems to be considered as a discretionary power, limited by nothing but the judgment of the body to which it is confided. The committee do not concur in these opinions. The power of collecting revenue is a power specially granted by the Constitution, limited, however, in the grant which concedes it by the enumerated objects for which revenue may be collected and by the prescribed modes in which it must be levied, even for these objects. The United States have no power to raise revenue in any other than according to these prescribed modes or for any other than these declared objects. From this expressed power of collecting revenue the subsidiary power of appropriating the revenue when collected is certainly fairly to be deduced. The power of appropriating the revenue is not, however, a substantive power, an original end, the attainment of which is specially authorized by the Constitution, but it is a mere incident, resulting from the grant of other powers as being necessary and proper to be exerted in order to give to them effect. Thus Congress, having the power to wage war, may undoubtedly collect and appropriate revenue for that purpose. The acquisition of territory being a consequence that may result from waging war, by appropriating revenue to the prosecution of war, the revenue so appropriated may happen to be applied to the acquisition of territory. But as the acquisition of territory is not one of the objects enumerated in the Constitution for which revenue may be collected, it seems hardly necessary to say that revenue can not be appropriated for any such substantive purpose, although it may chance to be applied in that way, whenever the acquisition of territory becomes a necessary and proper means, to give full effect to any of the general powers which are specially granted. To carry this doctrine further would be to assert that revenue might be appropriated to a purpose for which it could not be collected; and so to make the resulting and mere accessorial power greater than the original and principal power from which alone it is derived, a proposition which seems to this committee as erroneous in argument as it would be dangerous in practice.

The committee having thus shown that the United States have no right at this time to acquire new territory upon the coast of Africa for any purpose, might perhaps excuse themselves from examining this subject under any other aspect. But the subject is one by much too important in itself not to be investigated in every shape under which it has been presented by any of those who have brought it before the Senate. The committee will, therefore, examine it in another view.

If it was permissible to the United States to acquire territory upon the coast of Africa, do they possess the right of transporting thither at the public expense any part of our own population? And here the committee will observe that although in this particular instance it is proposed to transport none but a portion of the colored population to the coast of Africa, yet the power proposed to be exerted is the same that would be employed if the object was to transport at the public expense any portion of the white population to any other spot. It is true that the power in question is now proposed to be exerted for the transportation of voluntary emigrants only. But if the United States enjoy this power and may employ it for such a purpose, none can deny to them the right of acting upon the will of the people by holding out inducements to them to emigrate. Of the extent of such inducements the United States must necessarily be the sole judges; and being

the judges, it is obvious they may offer bounties of such a character as to overcome all reluctance, and so convert any into willing emigrants, when the power in question, if it be legitimate, would rightfully apply to them. Nay, bounties and rewards are not the only means by which the United States might act upon the citizen to overcome his reluctance to emigrate. In the exercise of other powers which belong to them, while they do not exceed the constitutional limits, and are not, therefore, guilty of usurpation, they may, nevertheless, so oppress him by unintentionally misdirecting his labor and capital as to inspire him with the wish of flying from the land of his birth and of accepting their proffered aid to bear the expense of his transportation. It is a question, therefore, well deserving the serious consideration of every State in this Union, whether the United States may rightfully intrude within the confines of any of the States for the purpose of withdrawing from thence any portion of its inhabitants in order to locate them permanently elsewhere.

Upon this subject the committee have no doubt. They believe that for all mere external purposes which bring the United States into contact with any foreign State the powers vested in them by the Constitution are full and complete. All powers useful and fit for the attainment of any of these objects are not only vested in the United States, but expressly denied to each of the States. For all purposes merely internal, however, whether connected with either the territory or population of a State, where the reserved powers of the States are plenary to their accomplishment, those of the United States are limited, especially enumerated in the Constitution, and circumscribed, not less by the enumeration than by the objects for which these powers were granted. The United States, therefore, can not act directly in any way, either upon the territory or the population of a State (whether it be white or colored), except for the objects defined and in the modes prescribed by the Constitution. The revenue of the United States can no more be appropriated to the defraying of the expenses of transporting any portion of the inhabitants of the States, not being in the service of the United States, from one part of the world to another than it can be appropriated to the support and comfort of such inhabitants while within the United States, either to feed, to clothe, or to educate them there. These latter powers, however, it has ever been conceded, the United States do not enjoy under the Constitution; and yet that which it is now proposed to exert is a power not only similar in its nature, but may be infinitely more prejudicial to the States in its effects. For it must be obvious to all that the effect of the exercise of such a power by the United States, if carried to any extent, would be to impair the political weight of the State from which the subtraction of population was made, and so to derange that equilibrium of political power which it was the purpose of the Constitution to establish and to preserve. It is obvious, too, that in the proposed case this power must of necessity be partially exerted, because the colored population which it is proposed to transport is not scattered generally or equally over the whole surface of the United States, but exists in very unequal proportions and in particular districts only. The expense of their transportation, however, must be defrayed by the appropriation of revenue derived from the contributions of all.

A power of such doubtful origin, of such partial operation, of such broad and dangerous extent, and to the attainment of all the beneficial effects of which the powers of every State are fully equal, this committee can not think is possessed by the United States. As one of the

powers not granted to the United States, it is reserved to the States, each of which possesses the clear right of controlling and governing its own people and territory in all cases where the exercise of such a power does not conflict with any of the powers granted to the United States, who on their part could not possibly exert this power of taking away any part of the population of a State in order to locate it permanently elsewhere beyond the confines of such State, without impairing and destroying the rights of the States over such a subject.

Doubtless the United States may invite, perhaps coerce, the free population of all the States to fill the ranks of their armies, to navigate their fleets, and to execute their laws. All these are objects which the Constitution expressly authorizes the United States to accomplish; and which may not be attainable without the use of such means. But the people thus taken into the service of the United States continue the subjects of the States from which they may have been originally drawn. Their numbers will still add to its political weight, while they remain in it; and even when, in the discharge of their duties, they may be withdrawn from it, this withdrawal is not necessarily permanent, nor is this the purpose for which the power is given or exerted, although such may be the accidental effect resulting from it.

Before they leave this part of the subject the committee will observe that the framers of the Constitution most wisely abstained from bestowing upon the Government thereby created any power whatever over the colored population of the United States, as such, whether this population was bond or free. Any attempt to endow it with such a power, we know, as an historical fact, would have frustrated all the labors and defeated the great objects of the patriot statesmen assembled for the purpose of framing this plan of government. The condition of the persons inhabiting the several States was therefore left to the control of the States respectively, who retained the exclusive power of defining and regulating this condition as they might severally think best; and any power to prohibit the migration or importation of such persons as the States might think proper to admit was specially denied to Congress for a term of twenty years. It is true that this term has expired, but in the opinion of this committee it would be a departure from the spirit of the Constitution, as well as an exertion of power not granted by it, if Congress were now, by any special legislative act on their part, to invite and encourage the emigration or transportation of that particular class of persons whose introduction into the States they were at first expressly prohibited from preventing.

Indeed, this committee can not perceive in what mode the power which it is proposed should be exerted by the United States upon this occasion could ever be practically exercised without a violation of that great principle which lies at the very foundation of this Government, that the States respectively should retain the exclusive right of severally determining the condition of their own inhabitants. For if the United States possess the right to intrude into any State for the purpose of withdrawing from thence its free colored population, they undoubtedly must exert practically the power of previously deciding what persons are embraced within this description. They must have the right of determining finally, not only who are colored, but who are free persons. This committee believe, however, that any attempt by the United States to exercise such a power would not only

be a direct violation of the Constitution, but must be productive of the worst effects.

It has been said by an eminent statesman, that even if the Constitution had not contained any express inhibition of the exercise by this Government of the powers not granted to it, yet the consequences which must unavoidably result from the exertion of any such powers would be found in practice so inconvenient, inexpedient, and impolitic that no wise men would ever voluntarily attempt to use them. The case now before the committee furnishes a good illustration, if not a proof, of the truth of this opinion. This committee will not state all the facts and arguments which may suggest themselves to the minds of those who shall examine this subject to prove that even if the power it is desired should be employed by the United States upon this occasion was enjoyed by them without question or doubt, yet it is a power that ought not to be exerted by this Government. They will confine themselves to the statement of a few only of these facts and arguments.

And first, they will endeavor to show that the object which these applicants propose to accomplish can not be attained by any of the means which, in justice to the people of this country, the United States ought ever to apply to any such purpose. This object is to relieve the States of this confederacy from what is supposed to be the evil of their free colored inhabitants by transporting all these to the coast of Africa. Now, by the last census, taken in 1820, the whole number of the free colored people of the United States is shown to have then been 233,530. By comparing this number with that shown by the preceding enumeration, the mean ratio of their annual increase for the ten years preceding 1820 appears to be somewhat more than $2\frac{1}{2}$ per cent. Add, then, an annual increase according to this ratio during the term of eight years which has elapsed since the census of 1820 was taken, and we shall find the probable number of free colored population of the United States now to exceed 280,000, and that the annual increase of this population at present is more than 7,000.

The expense of transporting such persons from the United States to the coast of Africa has been variously estimated. By those who compute it at the lowest rate the mere expense of this transportation has been estimated at $20 per head. In this estimate, however, is not comprehended the expense of transporting the persons destined for Africa to the port of their departure from the United States, or the necessary expense of subtaining them, either there or in Africa, for a reasonable time after their first arrival. All these expenses combined the committee think they estimate very low when they compute the amount at $100 per head. It has been estimated by some at double this amount; and if past experience may be relied upon as proving anything, the official documents formerly furnished to the Senate by the Department of the Navy show that the expenses attending the transportation of the few captured slaves who have been returned to Africa by the United States at the expense of this Government far exceeds even the largest estimate. But taking the expense to be only what the committee have estimated it, then the sum requisite to transport the whole number of the free colored population of the United States would exceed $28,000,000, and the expense of transporting a number equal only to the mere annual increase of this population would exceed $700,000 per annum, sums which would impose upon the people of this country an additional burden of

taxation greater than this committee believes they could easily bear, and much greater than ought to be imposed upon them for any such purpose.

The views of the present applicants, however, are not confined to the transportation of the existing free colored population of the United States, or of the future natural increase of this population. They also propose that this Government shall furnish the necessary aids to such humane individuals as may think proper to liberate their slaves; and that the slaves so liberated, may, in like manner, be transported to Africa. What augmentation of the number to be transported would be produced by the adoption of such a project would depend very much upon the quantum of the aids which this Government might think proper to tender to humane individuals, in order to induce them to liberate their slaves. Doubtless, the proprietors of the whole slave population in the United States might be tempted to part with their property by the offer of what they might deem a fair equivalent; and as the plan of some of the applicants seems to look even to this event, the committee have thought it necessary to examine into the effects of this measure also.

By the census of 1820, the whole number of slaves in the United States is shown to be 1,538,128. By comparing this number with that shown by the preceding enumeration, the mean ratio of their annual increase, for the ten years preceding 1820, appears to be somewhat less than 3 per cent; add then an annual increase, according to this ratio, during the term of eight years, which has elapsed since the census of 1820 was taken, and we shall find the probable number of slaves in the United States now to be at least 1,900,000; and that the annual increase of this population, at present, is at least 57,000. Now allow the same sum per head for the transportation of these persons that has been estimated for the transportation in the other similar case, and the sum requisite to defray the expense of the transportation of all the slaves in the United States would be $190,000,000; and that requisite to defray the expense of the transportation of a number only equal to their mere annual increase would be $5,700,000 per annum. But to either of these sums must be added the reasonable equivalent, or necessary aid, to be paid by the United States to humane individuals, in order to induce them voluntarily to part with their property. The committee have no "data" by which they can measure what this might be. But any sum, however small, will make so great an augmentation of the amount as almost to baffle calculation, and to exhibit this project at once as one exceeding very far indeed any revenue which the United States could ever draw from their citizens, even if the object was to increase and to multiply, instead of reducing the numbers of the class of productive labor.

It would not, in any degree, allay the excitement which an imposition so grievous as that necessary to defray the expense of transporting the mere annual increase of our present free colored population only would generate in this country, to know that its effects must necessarily be partial as well as oppressive. The free persons of color now in the United States are collected, for the most part, in the cities, towns, and villages situated on the Atlantic seaboard. From hence, therefore, the exportation of such persons would commence, and would long be confined to the inhabitants of such places. The provisions of such a regulation could not be extended to many of the States of this Union at all; nor would they be felt, directly, in the interior, even, of those States to the seaboard of which they would extend.

But this is not all. In the seaboard towns, where the free colored population of the United States for the most part now exists, these persons are generally engaged as domestics, servants, and day laborers in various necessary menial duties. The removal of this useful portion of their population from the Atlantic towns would necessarily create a vacuum there. This vacuum, by enhancing the rate of wages of such persons in the places where it existed, would certainly tempt others to resort thither. The free colored people from the country contiguous and adjacent to these towns would probably first rush in to supply the void, so creating a new vacuum in the places from whence they went. This new void would inevitably be supplied by fugitive slaves escaping from their owners in the slaveholding States. The system would, therefore, be productive at first of much temporary inconvenience and of some loss to the inhabitants of the seaboard towns, and must occasion, ultimately, real and permanent injury to the slave property in all the slaveholding States.

This committee, believing themselves to be correct in all the views which they have taken of this subject, do not therefore find it necessary to examine particularly the character and objects of the American Colonization Society, to which it is asked that the aid and protection of this Government should be extended. Of the generous feelings and philanthropic purposes of the members of this society the committee do not entertain the slightest doubt. But they can not refrain from stating that, in a Government like this, the establishment of a self-created society at the seat of this Government, which society numbers in the list of its members many of the most distinguished officers and agents of the Government itself, and which extends its influence throughout the Union by means of affiliated associations formed in the different States, is an exhibition which, under any circumstances, would merit attention. Should the objects and plans of that society be in any way connected with the action of this Government, either to invite, to stimulate, to restrain, or to prevent the exercise of any of its acknowledged or supposed powers, such an institution, in despite of the purity and intelligence of its members, must be looked at with suspicion and distrust. But when such a society professes to draw distinctions, for any purpose, between the different classes of our population; to establish colonies; to erect governments; nay, to found new empires, independent of the United States, the example of such an association can not be productive of any benefit. Much better would it be for the peace and good order of society if the Government, instead of lending its aid and extending its protection to such an institution, should take the whole subject at once into its own hands, and regulate it in the customary mode by agents directly responsible to the people and to the States. This, however, as the committee believe, the United States can not and ought not to do; and as they can not assist they ought not to countenance the plans of such an institution, but should leave it to be dealt with by the several State sovereignties as to their wisdom may seem best.

The committee, therefore, pray to be discharged from the further consideration of all the petitions, memorials, and resolutions upon this subject which to them have been referred.

(Leg. Jour., p. 333.)

[See pp. 6, 47, 120, 355.]

TWENTY-SECOND CONGRESS, FIRST SESSION.

February 8, 1832.

As to expediency of maintaining at foreign courts ministers of a higher grade than are maintained by such governments in the United States, and whether the number of our ministers and chargés d'affaires to foreign courts is not greater than the interests of the country require, Mr. Tazewell reported as follows:

That although in the opinion of this committee it is not generally expedient for the Government of the United States to maintain at any foreign court a minister of higher grade than is here maintained by such foreign nation, yet, as it is impossible to foresee what events may occur in the course of our political relations with other countries, or what may be the influence of these relations upon the future policy of the United States, this committee would deem it unwise to establish any fixed rule upon this subject, at this time, to which an inflexible adherence should be recommended hereafter. It is a matter which may be very properly, and by the Constitution is, left to the President of the United States, who (aided by the advice and consent of the Senate) will decide upon every particular case as it may arise, and with due regard to all the special circumstances which may then exist, to cause each case to be considered as a proper exception to the general course which the general honor and interests of the United States dictate. It is not probable that any general rule which might be established either now or at any other time would be, or ought to be, constantly attended to hereafter; and there exists no reason to doubt that both the Executive and the Senate, when called to act upon the special circumstances of any future case, will be unmindful of what is due to the character of their country under such circumstances. The committee, therefore, seeing no cause now for imposing any new conditions either upon the Senate or the Executive in regard to the grade of our foreign ministers, do not think it expedient to recommend to the Senate any change or alteration whatever in what has been the established practice of the Government of the United States from its foundation.

As to the other subject into which the committee, by the resolution aforesaid, is instructed to inquire, they have performed this duty also, and nothing which they have learned has induced them to believe that the number of our diplomatic agents at foreign courts is greater at this time than the interests of the country require. The unsettled condition of many foreign States, with each of which the United States now maintain diplomatic relations, is such that it is at least possible, if not probable, that at no distant day it may be proper for us to discontinue some of these relations. But this condition of such foreign States furnishes, of itself, the strongest argument to induce this country to continue its diplomatic agents at such courts yet a while longer. Should future events show the propriety of reducing the number of such agents anywhere, no doubt exists that such reduction will be made by the Executive; and as the subject is at all times under the control and regulation of Congress, it has not occurred to this committee that there was a necessity for any unusual exertion of the authority of the Senate over it at this time.

(Ex. Jour., Vol. 4, pp. 207, 208.)

[See pp. 6, 46, 120, 355.]

April 14, 1832.

As to the propriety of mission to Belgium, Mr. Tazewell reported as follows:

That the new matter communicated in the documents aforesaid induces this committee to view the subject of the proposed mission to Belgium differently from what they did when their last report upon this subject was made to the Senate, on the 8th day of February, 1832, and now recommend the approval of the nomination of the charge to that Kingdom, as a leading consideration in the adoption of this opinion on the part of the committee is found in the fact of the intention of the King of Belgium to send a diplomatic agent to the United States, which is announced in the letter of the Secretary of State, this committee recommend to the Senate the adoption of the following resolution:

Resolved, That the Senate, while advising the President to appoint, and consenting to the appointment of, Hugh S. Legare as chargé d'affaires of the United States to the King of Belgium, do also advise the President not to dispatch this officer until he shall have received information that a diplomatic agent from the King of Belgium to this country has been appointed by that sovereign.

(Ex. Jour., vol. 4, p. 240.)

April 14, 1832.

On letter of Secretary of Senate communicating statement of his proceedings respecting the confidential documents in his office, Mr. Tazewell reported as follows:

Resolved, That the injunction of secrecy may be removed from such papers belonging to the executive files of the Senate as the Secretary of the Senate may deem proper documents to be included in the present reprint of Congressional documents: *Provided*, That no document be published until the same shall have been submitted to the Secretary of State and the publication thereof approved by him.

(Ex. Jour., vol. 4, p. 240.)

[See pp. 5, 6, 8, 10, 12, 69.]

TWENTY-THIRD CONGRESS, SECOND SESSION.

January 6, 1835.

[Senate Report No. 40.]

Mr. Clay, from the Committee on Foreign Relations, made the following report:

The Committee on Foreign Relations have, according to order, had under consideration that part of the message of the President of the United States which refers to the present state of our relations with France, and having attentively examined the correspondence which has passed between the two Governments, communicated to Congress, and deliberated on the whole subject with an earnestness commensurate with the high respect due to the views of the Chief Magistrate and demanded by the delicacy of the questions and the magnitude of the interests involved, beg leave now to submit the following report:

The committee must, in the first place, express their entire concur-

rence with the President as to the justice of the claims of the citizens of the United States for which indemnity is stipulated by the treaty of the 4th of July, 1831. They had their origin in a series of measures of the French Government which prostrated the clearest principles of public law and violated the most solemn engagements consecrated by pledges of national faith. The veil, by which their enormity was attempted to be covered, of prior aggressions authorized or inflicted upon the neutral commerce of the United States by the enemy of France was too thin to create the slightest deception. Nothing in the conduct of one belligerent can justify the perpetration of an injury upon an innocent third party; but even if an overruling necessity of self-preservation should in any case prompt the infliction of such an injury, nothing could excuse it but ample and immediate reparation. At the period when these aggressions were committed the United States would have stood fully justified in the face of the whole world if they had appealed to arms to avenge their wrongs and vindicate their rights. And it is known to those who are conversant with the history of the times that a resort to hostile measures against France was seriously considered and actually proposed in the councils of the United States. It was deemed expedient not to adopt them, but to declare war against the other belligerent. This selection of their enemy by the Government of the United States did not proceed from any insensibility to the injuries of France, but was prompted by a conviction that a war with France in the actual condition of things would be unattended with any practical consequences, whilst Great Britain, it was believed, might be made to feel the effects of her more violent and unjust measures.

Whilst, however, the Government of the United States felt itself constrained by prudential considerations to abstain from an appeal to arms at that period against France, it resolved never to acquiesce in the injustice which citizens of the United States had experienced at the hands of France, but unremittingly to persevere in demanding the indemnity to which they were justly entitled. It was due to ancient relations with France, to the interests of the two countries, and to the nature of the case, since the injuries were not resented when they were fresh, that redress should be first sought by friendly negotiation. As early as 1812 a distinguished citizen of the United States was deputed to France, when the power of her Emperor was at its greatest height, to demand satisfaction. His sudden and unexpected death probably prevented the accomplishment of the object of his mission. From that period down to the signature of the treaty under consideration every American administration and every American minister at Paris, with the exception of a short period of forbearance, dictated by delicacy and friendly feelings toward France, have earnestly pressed for the indemnity to which we are entitled. From the multitude and the nature of the aggressions committed by France it is difficult to ascertain at this day their precise amount, and it never, probably, can be exactly verified, even by judicial investigation, owing to the loss of evidence and other causes. But the committee concur perfectly with the President in the opinion he has expressed in his message, that it is "absolutely certain that the indemnity falls far short of the actual amount of our just claims, independently of damages and interest for the detention." During the progress of the negotiation and at the moment of signing the treaty the American minister who concluded it had in his possession authentic documentary evidence demonstrating that the measure of indemnity was far below the measure of wrong.

The President is therefore fully justified in saying "that the settlement involved a sacrifice in this respect was well known at the time." Although the commission which has been created to decide on the claims has not yet closed its labors, enough has been already disclosed to establish that this sacrifice is even greater than that which the American minister ought to have known at the signature of the treaty.

Nevertheless intelligence of the conclusion of the treaty was received in the United States by the people and their councils with general satisfaction. Time blunts the force of injuries; the aggressor and his victim alike fall beneath the unsparing scythe; and the people of the United States saw in the treaty at least a partial though tardy justice rendered to those injured citizens, who yet linger behind, and to the descendants of those who died unredressed. Above all, the people of the United States saw in the treaty the removal of the only obstacle to the restoration of that perfect harmony with France which has ever been near their hearts.

Never on this side of the ocean could the people of the United States believe that a treaty which, at least upon its face, after its mutual ratification, bore all the solemnities of a perfect obligation of both parties was to be violated on the other side. So confident was Congress of its faithful execution that it hastened to pass the laws necessary to give to France the full advantage of the stipulations inserted for her benefit and to render the sums stipulated to be paid to American citizens as available as possible; Congress also provided by law that when the installments should be received they should be invested in a productive fund. It was prior to this latter provision that the Secretary of the Treasury made a draft in favor of the Bank of the United States upon the treasury of France for the first installment, which was protested. It might have been delicate toward France—it certainly would have been more fortunate—if this draft had not been made until information had been obtained of the necessary appropriation by the French Chambers to meet it, but the committee are unanimously of opinion that the mode adopted was fully justified by the terms of the treaty and that no objection against it can be fairly drawn from them.

Near two years have elapsed since, on the 2d February, 1833, the first installment of the indemnity became due without any provision for its discharge. During the greater part of this time, from the moment of the protest of the draft, the American Government has strenuously urged upon France the fulfillment of the treaty; and it is with profound regret that the committee find that its earnest endeavors have hitherto been unsuccessful.

The President justly remarks that the idea of acquiescing in the refusal of the execution of the treaty will not for a moment be entertained by any branch of the American Government. The United States can never abandon the pursuit of claims founded on the most aggravated wrongs. And if, contrary to all just expectations, France should persist in the nonfulfillment of the treaty, when negotiation shall be completely exhausted, it will then become the bounden and painful duty of the United States to consider what measures are called for on the occasion by their honor, their interests, and the justice due to their injured citizens.

The period, in the opinion of the President, has already arrived for entertaining the consideration of this momentous question. It is his conviction "that the United States ought to insist on a prompt exe-

cution of the treaty, and, in case it be refused or longer delayed, take redress in their own hands." And he accordingly recommends "that a law be passed authorizing reprisals upon French property, in case provision shall not be made for the payment of the debt at the approaching session of the French Chambers." These reprisals would not, in the opinion of the President, give to France any just cause of war; but if she should continue to refuse an act of acknowledged justice, and, "in violation of the law of nations, make reprisals on our part the occasion of hostilities against the United States, she would but add violence to injustice, and could not fail to expose herself to the just censure of civilized nations, and to the retributive judgments of Heaven."

The President does not present this course of reprisals as the only one for the consideration of Congress. He says:

> If it shall be the pleasure of Congress to await the further action of the French Chambers no further consideration of the subject will, at this session, probably be required at your hands.

And, in conclusion of this part of his message, he repeats that—

> It belongs to Congress to decide whether, after what has taken place, it will still await the further action of the French Chambers, or now adopt such provisional measures as it may deem necessary, and best adapted to protect the rights and maintain the honor of the country. Whatever that decision may be, it will be faithfully enforced by the Executive, as far as he is authorized so to do.

Thus the President states, for the consideration of Congress, two measures, one contemplating further forbearance and the continuance of friendly negotiation and peace, and the other, although provisional and contingent, involving the possible hazard of war.

The committee are happy to agree fully with the President "that our institutions are essentially pacific. Peace and friendly intercourse with all nations are as much the desire of our Government as they are the interest of our people." But if it be the true policy of the United States to practice the greatest moderation and forbearance toward all nations, and to consider war as a calamity never to be resorted to but in extreme cases, what additional force do these sentiments acquire when applied to France, our ancient ally and friend, for whom the people of the United States cherish "the most grateful and honorable recollections associated with our struggle for independence."

Entertaining these views, the committee have considered it to be their first duty attentively to examine the pacific branch of the alternative presented by the President to discover whether there was any rational hope that, by the exercise of further patience, the hazards of war might be prevented. They have, in consequence, carefully perused the whole correspondence submitted by the President to the Senate, between the two Governments, to find out, if they could, the causes of the extraordinary delay which has occurred in the execution of the treaty, and whether there was any prospect of their ultimate removal. They have done more; they have felt it to be their duty to examine the correspondence, as far as it was accessible to them, which preceded as well as that which followed the conclusion of the treaty to see if those causes were altogether unforeseen and unexpected.

It appears from a dispatch of Mr. Rives to the Secretary of State, under date the 18th September, 1830, at his first interview with the French secretary of foreign affairs, after the revolution which placed the present King of France on the throne, that this French minister said that he thought that the principle of indemnity would be admitted,

but that the amount of the claims was a very complex question, depending on a great variety of considerations, and requiring minute and detailed examination; "that he believed our claims would encounter much less opposition with the Government (meaning the King and his ministers) than with the Chambers; that he had thought of the organization of a commission to examine the subject, consisting of members of both Chambers as the best means of preparing those bodies for an ultimate decision, and that he should submit the proposition at an early day to the council." In a subsequent dispatch of Mr. Rives, of the 9th November, 1830, he says:

The disposition of the King, as well with regard to this subject [the American claims] as to the general relations between the two countries, are everything we could desire. The difficulty exists in the extreme reluctance of the nation to pay any more indemnities, and the necessity which the Government feels itself under of consulting the representatives of the nation, and of securing their approbation to any arrangement which may be ultimately concluded. The commission, of the formation of which I have already apprised you, has grown entirely out of this feeling.

On the occasion of an audience with the King, Mr. Rives, in his dispatch of the 18th January, 1831, says that the King in replying to his remarks "reiterated the sentiments he had heretofore expressed to me, and referred to the measures he had taken with a view to bring the differences between the two countries to a conclusion." * * *

The King proceeded to say that, since reading the President's message, he had "remonstrated" against all unnecessary delays in the prosecution of the business, and assuring me that everything should be done on his part to bring it to the earliest termination, notwithstanding the disastrous state of their finances.

The commission appointed to examine our claims made their report. The majority of four rejecting our claims growing out of the Berlin and Milan decrees, as well as the Rambouillet and other special decrees, estimated the sum to which they supposed the United States to be fairly entitled, according to Mr. Rives, at between ten and fifteen millions of francs, and the minority of two, admitting the claims, rejected by their colleagues, at thirty millions. In an interview between the French minister of foreign affairs and Mr. Rives, described in his despatch of the 28th of April, 1831, the minister "spoke of the intrinsic difficulty of all *money* questions in a representative government, increased in the present instance by the almost unanimous report of the commission." In another interview with the president of the council of ministers, described in the same despatch of Mr. Rives, Mr. Perrier said:

He felt all the importance of cultivating good relations with the United States; and that he was sincerely desirous of adjusting this ancient controversy, but that their finances, as I saw, were exceedingly deranged; and that there would be great difficulty in reconciling the Chamber of Deputies to an additional charge, on the enfeebled resources of the state, for claims, too, which had not arisen from any wrong done by the present Government of France.

In the same despatch, Mr. Rives reports:

The King expressed, as he has always done, very cordial sentiments for the United States; said he had frequently called the attention of his ministers to the necessity of settling our reclamations; that they had always objected the embarrassed state of the finances, but he hoped they would yet find the means of doing justice.

In a despatch of Mr. Rives of the 7th May, 1831, communicating the offer of 20,000,000 francs, in full satisfaction of our claims, and his declining to accept it, he states the French minister to have replied:

That the offer he had just made was one of extreme liberality; that it would subject the ministers to a severe responsibility before the Chambers; that he had

been already warned from various quarters that he would be held to a strict account for his settlement of this affair.

In the same despatch, Mr. Rives details a conversation which he had had with the president of the council respecting the amount of our claims, in which he said:

That it was particularly hard that the burden of their adjustment should now fall upon the existing Government, in the present crippled state of its resources, and when all of its expenses were upon a war footing; and that it was certainly not the interest of either country to make an arrangement which the legislative authority here might refuse to carry into execution.

In another despatch of Mr. Rives, of the 29th May, 1831, he relates a conversation in an interview with the president of the council. That minister, Mr. Rives states, then said:

That but for the Chambers, there would be less difficulty in arranging this question; but that he apprehended a very serious opposition to it on their part, which might even more seriously embroil the relations of the two countries, by refusing to carry into execution any arrangement which should be made.

He added:

That two months, sooner or later, could not be of much importance in the settlement of this question, and asked me if there would be any objection to adjourning its decision till the meeting of the Chambers, when the ministers could have an opportunity of consulting some of the leading men of the two Houses.

This postponement was objected to by Mr. Rives, and was not insisted upon.

During the progress of the negotiation, the principle of indemnity was early conceded. The French minister first offered fifteen millions of francs. Mr. Rives demanded forty. The French minister advanced to twenty, to twenty-four; and finally, with extreme reluctance, to twenty-five. At the point of twenty-four, Mr. Rives came down to thirty-two, as the medium between the two proposals. At that of twenty-five, the French ministers announced it as their ultimatum; and in a despatch of Mr. Rives, 14th June, 1831, he reports the French minister to have said:

That it was the opinion of the most enlightened and influential members of both Chambers, that the offer of twenty-four millions, heretofore made, was greatly too much; that ——, ——, ——, ——, and other leading members of the one Chamber or the other, whom he mentioned, had already expressed that opinion to him, and emphatically warned him of the serious difficulties to which this affair would expose ministers.

Thus, it appears, that, throughout this whole negotiation, the King manifested the most friendly feelings towards the United States; that he took a decided interest and exerted an unusual agency in the conduct of the negotiation; that the principle of indemnity having been acknowledged, the difficulty lay in the adjustment of its amount; but that by far the greatest difficulty arose from the apprehension that the Chambers, in consequence of the repugnance of the nation to the payment of any more indemnities, would not make the necessary appropriations to carry the treaty into effect; that Mr. Rives was reminded again and again, by more than one French minister, of this anticipated obstacle; that he was told by the president of the council that he apprehended the opposition from the Chambers might be such as seriously to embroil the relations between the two countries, by refusing to carry into execution any arrangement which should be made; and that a proposition to adjourn the negotiation for two months,

until the Chambers should meet, when the ministers could have an opportunity of consulting some of the leading members of the two Houses, was successfully resisted by Mr. Rives.

The committee have not adverted to the negotiation, which terminated in the treaty of indemnity, for the purpose of drawing from it any justification for the failure of the Government of France, hitherto, to fulfill the solemn stipulations of that treaty. It affords no such justification. If anticipated difficulties in the Chambers have really occurred they ought to have been weighed, and were probably weighed, by the French Government prior to the signature or prior to the ratification of the treaty. They were, no doubt, deemed to be of a nature not insuperable. At all events they are the affair of the French Government, not ours. But the committee do think that in candor and fairness these difficulties, which were known to both parties, of which we were so often warned, ought to inculcate upon the American Government a spirit of the utmost indulgence and forbearance consistent with ultimate justice to our injured citizens. If, after the apprehended opposition presented itself in the Chambers, the French ministery, with sincerity and good faith, has fairly exerted its power to weaken and subdue it; if the King's Government is honestly still laboring to accomplish that end, however painful past delay may be, it would not only be unjust as to the French Government but unwise, as it respects the interests of the United States and the American claimants themselves, that we should interpose any obstacle to final success. A rash and precipitate measure on our part would not only tend to confirm prepossessions already existing against the treaty, but would probably convert some of the warm friends

This brings us to the consideration of what has transpired, since the exchange of the ratifications of the treaty, for the purpose of executing it. The committee have deliberately examined all the evidence submitted to them, to satisfy themselves whether the Government of the King of France has sincerely and faithfully endeavored to obtain the appropriations necessary to execute the stipulations of the treaty. The statement contained in the message of the President, respecting the periods of the meeting, and the termination of the sessions of the French Chambers, the presentation of the bill of indemnity, and the disposition made of it, is believed to be substantially correct, with the exception that it appears that the treaty was referred to a committee for examination, on the 16th June, 1833, and it was deemed necessary to collect all the documents calculated to throw light upon the question, which, requiring time, prevented a report at that session. Standing alone, without explanation, the delay would imply indifference, if not culpable neglect, in procuring from the Chambers the requisite appropriation to fufill a national engagement. But the apprehensions entertained and expressed by the French ministers, in the progress of the negotiation, as to the fate of the treaty before the Chambers, appear to have been constantly felt by them, and to have influenced all their proceedings. They profess to have been desirous to remove all difficulties, by suitable explanations, and by persuasion and conciliation, and to have thought that the support of the Chambers was more likely to be secured by these means, and by time, than by urging an immediate decision. The committee beg leave to call the attention of the Senate to certain parts of the correspondence, which are calculated to enlighten it in respect to the conduct and motives of the King and his ministers. In reply to a note of Mr. Niles, the American chargé d'affaires, complaining of the protest of the draft, and the nonexecu-

tion of the treaty, the French minister of foreign affairs, in a note, under date the 26th March, 1833, says:

It was well known in Washington that, according to a constitutional principle, which is also rigorously observed in the United States, the treaty of July 4, 1831, could not take effect in France, until it had received the assent of the legislature in all its financial particulars. Circumstances, over which the King's Government have no control, have hitherto prevented it from asking such sanction; and although the treaty does not contain any express stipulation, as regards the necessity of such assent, yet it should not the less be considered as implied, inasmuch as it necessarily arises from the nature of things, and the fundamental maxims of our public law.

And, in a subsequent part of the same note, the minister further remarks:

But I can assure you that, although there may be some delay in the acquittal of the sums mentioned in the treaty, yet that delay, which circumstances render unavoidable, will not be greater than necessity requires.

He adds:

Your Government, sir, will appreciate duly the parliamentary considerations, and the constitutional principles on which they are founded; and I doubt not that the affair will end by inspiring them with greater confidence in the King's Government.

There can be no doubt that the allusion of the French minister to circumstances over which the King's Government had no control, and to parliamentary considerations which would be duly appreciated at Washington, referred to the opposition to the treaty in the Chamber of Deputies. This supposition is confirmed by a passage in a note of Mr. Harris, the successor of Mr. Niles, as American chargé d'affaires, addressed to the French minister on the 1st July, 1833, in which, referring to repeated interviews between them, he says:

He was then assured that there was some opposition in the Chambers with regard to the treaty, but that great hope was entertained of its being surmounted. The undersigned, therefore, employed himself, on the one hand, agreeably to the invitation that he would do so, in visiting the most influential members, and setting the principles of the treaty before them in their true light, so as to make them comprehend the whole importance of the question; and on the other, in transmitting to the Cabinet at Washington accounts of all that took place herein as well as the promises and assurances given him by the French ministry.

The case must have been an extraordinary one in which a foreign minister could have invoked, or a representative of the American Government would have yielded to, such an irregular interposition.

In his answer to this note the French minister, after expressing his opinion that it was unnecessary, the minister of France, at Washington, having been charged to make suitable representations, proceeds to say:

Thus, his Majesty's Government, in demanding from the Chamber of Deputies, during the first session, the appropriation indispensable for discharging the engagements of the treaty, proceeded agreeably to rule: but it evidently did not depend upon the Government to have such appropriation voted in that session; and, certainly, it is not to Mr. Harris that the undersigned could think himself obliged to urge such a consideration.

As to the session which began on the 25th of April, its shortness is sufficient, alone, to explain how the vote, which was rejected in the preceding one, should have been again deferred; and upon this point, likewise, the King's Government is fully authorized to consider itself clear of all imputation.

No doubt, as Mr. Harris observes, the Cabinet at Washington had a right to rely upon the exact fulfilment of the engagements subscribed in the name of France; and it is to be hoped that this its confidence has not been diminished; but it is too enlightened, and understands too well the duties imposed by representative institutions, as well as by the parliamentary system, not to have judged that the King's

Government would necessarily have, above all things, to preserve the proper line of conduct with respect to the Chambers. In fact, whilst the charter recognizes in the King the right of concluding and ratifying treaties, it, at the same time, renders the sanction of the legislative body indispensable for the execution of those parts of their stipulations, the examination of which is among their special attributes.

The difficulties, of which our representative at Paris was apprised, in passing through the Chambers the bill of appropriation were communicated to the American Government by the French minister here. In a note from him to the Secretary of State, under date the 19th May, 1833, he says:

With regard to the explanations requested by the Secretary of State, as to the delay of the French legislature in giving its sanction to the financial clauses of the convention, the Duke de Broglie observes to the undersigned, that it must be well known at Washington how much circumspection (menagemens) is necessary in a representative government, and how many parliamentary difficulties are to be met with, especially when a treaty is in question which, on account of the obligations it imposes on the country, has against it strong prejudices in the Chambers, and public opinion without.

The minister of foreign affairs adds that—

This delay has been entirely unavoidable (independent de sa volonte); that he will in a few days submit to the Chambers a bill on the subject, and that he will do all that could be expected from the known loyalty of the King's Government to effect its passage as speedily as possible, and to abridge a delay which he has been only able to regret.

Again, on the 31st August, 1833, the French minister at Washington, by the express orders of his Government, addressed a note to the Secretary of State, from which the following extract is taken:

It is easy to conceive that Congress should not hesitate to sanction a convention so advantageous to the citizens of the United States, and that the Federal Government should be eager to require its approval. But in France the case is different; prejudices, doubtless unreasonable, yet, from their nature, likely to exercise a disagreeable influence upon the minds of men, have been openly manifested against the validity of the American claims, and the King's Government, under the conviction that justice absolutely required the admission of a part of them, yet was far from expecting unanimous assent to its opinion. It was the more necessary to take these prejudices into account, as they had found their way into the Chambers, where it was matter of notoriety that the convention of July 4, 1831, would be violently opposed. Good faith, therefore, rendered it necessary to enlighten the public mind beforehand, and to prepare the way for an impartial discussion, and the King's Government might, indeed, have been fairly taxed with want of foresight, had it, under such circumstances, called at once on the legislature for its assent to the treaty. Indeed, such a mode of proceeding was that best calculated to endanger the accomplishment of the affair, and could only have been adopted by a government less anxious to fulfill its engagements. On the contrary, the plan pursued by the King's Government attests the purity of its intentions. As soon as it considered the moment propitious the treaty was communicated to the Chamber of Deputies and an appropriation was demanded in order to its execution, and the reproach that an opportunity had not been given to the Chambers of pronouncing upon the treaty is sufficiently obviated by the parliamentary communications made twice on the subject.

Mr. Livingston, the minister of the United States, having reached Paris, and had an audience with the King on the 5th of October, 1833, addressed a note to the Duke de Broglie, in which he says:

The verbal assurance which his majesty was pleased to give the undersigned, when he had the honor of being presented to him, and those which he received in the conference before alluded to from the minister of foreign affairs can leave no doubt of the desire his majesty has faithfully to perform the stipulations entered into with the United States.

In the reply of the duke, under date the 23d of the same month,

after commenting on other parts of Mr. Livingston's note, he expresses the following emphatic assurance:

> The undersigned will conclude, therefore, by assuring Mr. Livingston again most positively that, at the next session, and on the day after the Chamber of Deputies shall have been constituted ready for business, the King's Government will lay before it the projet de loi relative to the convention of 4th July, 1831.

In a subsequent note of the duke to Mr. Livingston, under date the 23d November, 1833, he repeats:

> The undersigned is as anxious as the minister plenipotentiary of the United States can be for the definitive conclusion of an affair, the delays in which are completely independent of the will of the King's Government.

The committee have thus traced the correspondence down to the approach of that session of the Chamber of Deputies during which the bill of appropriation was rejected. The extracts from it might have been enlarged and multiplied, but those which have been presented account, and the committee think satisfactorily, for the delay on the part of the King's Government in passing the bill to a final decision. They demonstrate also, up to that period, the sincere desire with which the King and his minister of foreign affairs were animated to carry the treaty faithfully into execution. Whilst the American Government very properly remonstrated against the delay, it appears nevertheless to have been satisfied with the sincerity and good faith of the King's Government. Mr. Livingston, an eyewitness on the spot, declares, as late as October, 1833, that the assurances received by him directly from the King and from the Duke de Broglie left not a doubt on his mind of the desire of the King faithfully to perform the stipulations with the United States.

The committee next felt it incumbent upon them to examine into the proceedings and discussions in the French Chamber of Deputies, of which a copy has been communicated by the Executive to the Senate, on the subject of a bill making an appropriation to carry into effect the treaty. The right of the Chamber freely to examine the treaty, and to grant or refuse the supplies necessary to execute it, appears, throughout those proceedings and discussions, to have been generally conceded, or at least never contested. On the presentation of the bill in June, 1833, the president of the Chamber remarked:

> The right of the Chamber is clearly established. No treaty of the sort now presented to us is perfect, or can be carried into execution in any of its parts, until the Chamber has given the Government the means of executing it. Nothing can be considered as definitive which is subject to the vote of the Chamber.

Accordingly, all the documents and papers connected with the negotiation were submitted to the committee to which the bill was referred, and were canvassed by them as freely and fully as if the treaty had never been actually concluded.

On this right, depending as it does upon a just construction of the provisions of the French charter, the committee do not feel it necessary, if they were competent, to express any opinion. Whether the Chamber have the right or not, they clearly possess the power to refuse an appropriation to carry the treaty into effect. The injury to us is the same in both cases, or varies only in degree. In either case satisfaction is withheld for claims of American citizens, which we believe to be founded in justice, and which would have justified in their origin an appeal to arms; and these claims are admitted to be just by a treaty concluded with the authority of the King, ratified by him, and bearing upon its face all the testimony of a complete and perfect national compact.

The bill to carry into effect the treaty having been twice presented at previous sessions of the Chamber of Deputies, was again submitted to it on the 13th January, 1834, by the minister of finance. It was referred to a committee, which, on the 10th of March following, made an elaborate and able report, concluding by recommending the adoption of the bill. The debate opened upon it on the 28th of March, and was continued until the 1st of April, when, by a vote of 176 to 168, it was rejected. It is not the intention of your committee to exhibit even a sketch of the facts and arguments brought forward, either in the report or the discussion, in which several of the King's ministers shared. But they do no more than justice in rendering their humble testimony to the masterly ability and statesmanlike bearing exhibited by the minister of foreign affairs in the Chamber of Deputies. That minister immediately resigned his place in consequence of the vote of the Chamber.

The committee have looked into the proceedings and discussions to discover, if they could, the cause of the rejection of the bill. The principle of indemnity seems to have been generally admitted. The diversity of opinion was chiefly as to the amount. But besides this, widespread and deep-rooted prejudices prevailed in the Chambers. Some of the members appear to have thought that France was a prey to the rapacity of foreign powers; that the United States owed her a debt of gratitude, growing out of her assistance in our struggle for independence, that ought to have restrained them from presenting any claim, or at least have greatly moderated their demands; that the decrees of France, out of which a large part of the claims sprung, were no more than a just retaliation upon the belligerent edicts of Great Britain; that the claims were in the hands of a few speculators; that upon a fresh negotiation the amount of indemnity would be materially reduced; and that, as to eight of the twenty-five millions of francs, the United States were seeking a double satisfaction, first from Spain in the Florida treaty, and then from France in the treaty of 1831. Your committee can not but think that this last objection, utterly groundless and derogatory from our national honor as it is, exerted a considerable influence upon the Chambers. It was suddenly sprung toward the close of the debate, and the supporters of the bill being taken by surprise, all the satisfactory explanations of which the Spanish treaty is susceptible were not made. The controlling motive, however, of the majority is believed to have been a conviction entertained by them that the treaty stipulates the payment of a greater sum than is justly due from France.

Unfortunately we are, perhaps, not altogether free from the reproach of having contributed to make this unfavorable impression of the treaty upon the mind of the French Chamber. In his dispatch, under date the 8th July, 1831, accompanying the treaty and addressed to the Secretary of State, after explaining some of its provisions, and referring to the opinion of Mr. Gallatin, Mr. Rives says:

> If the opinion here expressed be correct, and certainly none enjoys or is entitled to more respect, the sum stipulated to be paid by the French Government will be amply sufficient to satisfy all the just claims of our citizens of every description, comprehended in the scope of the negotiation.

Again he remarks:

> The result which has been gained in the interest of the claimants has not been achieved without the greatest difficulty. The correspondence of Mr. Crawford, of Mr. Gallatin, and of Mr. Brown with the Department of State (the unfavorable parts of which have, for obvious reasons, not heretofore been given to the public) shows that they regarded this whole subject as almost entirely hopeless,

And he further observes:

An arrangement which, amid so many difficulties, has secured for claims of our citizens (prosecuted in vain for the last twenty years, and a large portion, if not the whole, of which has been considered as desperate) a sum sufficient in all probability to pay every cent justly due, and nearly treble the amount pronounced to be due by the commission charged with their examination here; which has at the same time extinguished the claims of French subjects against the United States to the amount of near five millions of francs, by a stipulation to pay a million and a half; and has finally gotten rid of a most embarrassing claim (founded on the language of a treaty) of perpetual privileges in the ports of one of the States of the Union, by a temporary measure intrinsically advantageous to ourselves, and in the definite settlement of these unpleasant questions has laid a a lasting foundation of harmony and friendship between two countries having the most important common interests, political and commercial. An arrangement marked by these features can not, I trust, fail to be satisfactory, and to justify the responsibility which, under the discretionary powers the President has been pleased to confide to me, I have not hesitated to assume both in the progress and termination of this complex negotiation.

A treaty possessing these characteristics may be acceptable to one party; but it is not surprising that it should not be very much so to the other, if it be true that he has stipulated to pay every cent of claims believed to be hopeless and desperate; that he has received less than one-third of what was due to his own subjects; and, instead of an equivalent for perpetual privileges has received only what is intrinsically advantageous to the other party.

It is quite natural that the American negotiator should have commended to the favorable consideration of his Government the work of his own hands. If he had magnified it some excuse might have been found in the complacency with which we too often contemplate our own achievements. But, perhaps, the feelings of the other party have not been duly consulted. It may not have been sufficiently considered that what is won by skill in diplomacy on one side might have been lost by the want of it on the other; and the pretension of superior sagacity on our side was not likely to be soothing to the pride of the French Nation, or to reconcile it to engagements against which strong prejudices prevailed. It remains to be seen whether harmony and friendship between the two countries, the lasting foundation of which Mr. Rives felicitates his Government with having been laid by him shall, in the sequel, have been actually cemented.

Although the rejection of the bill of appropriation by the Chamber of Deputies could not have been entirely unexpected by the Executive of the United States from the information which it possessed, the event produced very great surprise and much sensation with the people of the United States and with Congress. It appears, from a note of Mr. Livingston to the Count de Rigny, who had succeeded the Duc de Broglie as minister of foreign affairs, under date the 26th July, 1834, that, subsequent to the rejection of the bill, the King's Government had given him assurance "that no time should be lost in again submitting to the Chambers the law for giving effect to the convention with the United States." On the 5th June, 1834, the French minister at Washington addressed a note to the Secretary of State, in which, after announcing that he had received, two days before, the dispatch which his Government had transmitted to him by the French brig *Le Cuirassier*, in consequence of the unexpected rejection of the law for granting to the King's ministers the funds necessary for the execution of the treaty, he proceeds to say:

I hastened to communicate to you, on the day after, the sincere regrets, the explanations, and the ulterior views of His Majesty's Government on this subject, with the cordiality which has prevailed throughout this negotiation. * * *

The King's Government still adheres inviolably to the treaty concluded between the two Governments: first, because it has signed it, and also, doubtless, because it perseveres in believing it to be founded on right, on reason, and on the perfectly reciprocal interest of the two nations. The views and principles maintained with respect to the treaty, in the speech of the Duc de Broglie, on the 31st of March, are the views and doctrines of the whole cabinet.

In examining, sir, the report of the discussion which solemnly took place on the subject of the treaty in our Chamber of Deputies, you must have been convinced of the steady and enlightened firmness with which it was defended. However, the Chamber, making use of its constitutional power, and, moreover, from considerations of contested right and simple scruples as the most special guardian of the public fortune, but not from any sort of hostility toward the United States, refused, as appears by the debates, by a small majority, its consent to the financial execution of the treaty.

The King's Government, sir, after this rejection has deliberated, and its unanimous determination has been to make an appeal from this first vote of the present Chamber to the next Chamber, and to appear before the new legislature with its treaty and its bill in hand. It flatters itself that the light already thrown upon this serious question, during these first debates, and the expression of the public wishes becoming each day more clear and distinct, and finally a more mature examination will have, in the meantime, modified the minds of persons, and that its own conviction will become the conviction of the Chambers. The King's Government, sir, will make every legal and constitutional effort to that effect and will do all that its perservering persuasion of the justice and of the mutual advantages of the treaty authorize you to expect from it. Its intention, moreover, is to do all that our Constitution allows to hasten as much as possible the period of the new presentation of the rejected law.

Such, sir, are the sentiments, such the intentions of His Majesty's Government. I think I may rely that, on its part, the Government of the Republic will avoid with forseeing solicitude, in this transitory state of things, all that might become a cause of fresh irritation between the two countries, compromit the treaty, and raise up an obstacle perhaps insurmountable to the views of reconciliation and harmony which animate the King's council.

The force of these assurances, in regard to the views and purposes of the French Government, could not be resisted. The President yielded to it, and accordingly, in a note of the Secretary of State to the French minister, under date the 27th June, 1834, after stating that the note of M. Serrurier had been submitted to the President, and duly considered by him, the Secretary says:

Though fully sensible of the high responsibility which he owes to the American people in a matter touching so nearly the national honor, the President, still trusting to the good faith and justice of France, willing to manifest a spirit of forbearance, so long as it may be consistent with the rights and dignity of his country, and truly desiring to preserve those relations of friendship which, commencing in our struggle for independence, form the true policy of both nations, and sincerely respecting the King's wishes, will rely upon the assurances which M. Serrurier has been instructed to offer, and will, therefore, await with confidence the promised appeal to the new Chamber.

The President, in desiring the undersigned to request that his sentiments on this subject may be made known to His Majesty's Government, has instructed him also to state his expectation that the King, seeing the great interests now involved in the subject and the deep solicitude felt by the people of the United States respecting it, will enable him, when presenting the subject to Congress, as his duty will require him to do at the opening of their next session, to announce at that time the result of that appeal and of His Majesty's efforts for its success.

It was not at Washington alone that the French Government was given by the Executive of the United States to understand that the President, confiding in the assurances which he had received, would await the result of the renewed efforts to pass the bill of appropriation through the new French Chambers. Instructions were transmitted from the Department of State under date the 27th of June, 1834, addressed to Mr. Livingston, in which, after adverting to M. Serrurier's note, the Secretary says:

You will see that although no explanation is afforded of the causes which led to the rejection of the bill by the Chamber, yet the assurance of the King's adherence

to the treaty and of the determination of the King and his Government to take all constitutional means in their power both to induce the Chamber to carry it into effect and to hasten the time when it may be acted upon by the Chamber, are so strong that, without imputing the grossest bad faith, it is impossible altogether to reject them. It was, moreover, evident from the discussion in the Chamber that the assurances which had been made to you of the sincerity of the ministers were, in a great degree at least, well founded: indeed, the speeches of the Duke de Broglie, in which the obligations of France on the subject were urged with an ability and frankness that reflect the highest honor on that eminent minister, were perhaps sufficient to remove all doubt on that point.

In pursuance of these instructions Mr. Livingston, in a note addressed to the French minister of foreign affairs under date the 29th July, 1834, says:

Instructions which I had in some manner anticipated in my note to your excellency of the 26th instant have this day been received. They make it my duty (one which I perform with pleasure) to assure His Majesty's Government that the President feels the most perfect confidence in the assurances which have been given of His Majesty's desire to fulfill the stipulations of the convention of July, 1831, with the United States, through this legation, and particularly in those contained in an official communication, made by Mr. Serrurier to the Secretary of the United States, that the law for carrying the treaty into effect should be presented to the new Chambers with the just hope that a more intimate knowledge of the justice of its provisions and of the interest of the two nations would insure its passage.

In a subsequent note of Mr. Livingston, as late as the 3d of August, 1834, in which he urges, with great earnestness, an early convocation of the Chambers for the purpose of again presenting the bill to their consideration, he declares that—

The utmost reliance is placed in the assurances of His Majesty's ministers, and that not a doubt is entertained of the sincerity of their desire to procure the means of executing the treaty.

The committee take great pleasure in expressing their concurrence with the President and Mr. Livingston in the belief of the anxious desire of the King and his Government faithfully to execute the treaty. It is due to frankness and justice to declare that they have not seen any reason whatever to occasion doubt or distrust as to the sincerity of the King. It would be incredible that the King should not be desirous to execute a treaty in the formation of which he had a personal and particular agency, which was concluded by his voluntary authority, and which had finally received his deliberate sanction. Independent of the obligations of justice and good faith the head of any government would be prompted, under such circumstances by personal character and pride, to desire the success of a leading measure of his administration.

It having been thus arranged between the two Governments that they should await the issue of a renewed appeal to the French Chambers for the requisite appropriation of funds to execute the treaty, the committee have examined into the causes which have induced the President to recommend to Congress the adoption of a measure of self-redress, to be used in the contingency of their refusal to make the appropriation. The President states, in his message to Congress, that—

The pledges given by the French minister, upon receipt of his instructions, were that, as soon after the election of the new members as the charter would permit, the legislative Chambers of France should be called together, and the proposition for an appropriation laid before them; that all the constitutional powers of the King and his cabinet should be exerted to accomplish the object, and that the result should be made known early enough to be communicated to Congress at the commencement of the present session.

The President continues:

I regret to say that the pledges made through the minister of France have not been redeemed. The new Chambers met on the 31st July last, and although the subject of fulfilling treaties was alluded to in the speech from the throne, no attempt was made by the King or his cabinet to procure an appropriation to carry it into execution. The reasons given for this omission, although they might be considered sufficient in an ordinary case, are not consistent with the expectations founded upon the assurances given here, for there is no constitutional obstacle to entering into legislative business at the first meeting of the Chambers. This point, however, might have been overlooked had not the Chambers, instead of being called to meet at so early a day that the result of their deliberations might be communicated to me, before the meeting of Congress, been prorogued to the 29th of the present month—a period so late that their decision can scarcely be made known to the present Congress prior to its dissolution. To avoid this delay, our minister at Paris, in virtue of the assurance given by the French minister in the United States, strongly urged the convocation of the Chambers at an earlier day, but without success. It is proper to remark, however, that this refusal has been accompanied with the most positive assurances, on the part of the executive government of France, of their intention to press the appropriation at the ensuing session of the Chambers.

The pledge given by the French minister, to which the President is presumed to refer, is contained in the following paragraphs of his note to the Secretary of State of the 5th June, 1834:

The King's Government, sir, will make every loyal and constitutional effort to that effect, and will do all that its persevering persuasion of the justice and of the mutual advantages of the treaty authorize you to expect from it. Its intention, moreover, is to do all that our constitution allows; to hasten as much as possible the period of the new presentation of the rejected law.

In his answer to that note of the French minister, the Secretary of State expresses the expectation of the President, that the King will enable him, when presenting the subject to Congress, as his duty will require him to do, at the opening of their next session, to announce at that time, the result of that appeal, and of his Majesty's efforts for its success. If the French minister had, in a reply to this note, assented to the expectation of the President, there would have been a positive and explicit engagement, and the subsequent omission to convoke the Chambers in time to admit of the communication to Congress, at its present session, of the result of their deliberations, would have been an indisputable violation of it, but he made no reply, or, if he did, it has not been communicated to the Senate.

At Paris the French Government was strenuously urged by Mr. Livingston, first, to submit the appropriation to the Chamber of Deputies, which assembled on the 31st July, and that not being acceded to, secondly, that they should be specially called early in the autumn for that purpose. To these demands, Admiral De Rigny, the minister of foreign affairs, at first replied, in his note of the 31st of July, 1834, to Mr. Livingston:

The King's Government, I do not hesitate to repeat, will eagerly seize the first occasion again to submit to the deliberation of the legislature the bill requisite for carrying into effect the convention of 1831, and will use every exertion in its power to obtain an issue to this important question conformable to the wishes of the two cabinets. But certainly it will not be requisite for me to explain the reasons which will prevent the subject from being brought before the Chambers during the short session which the King will open this day.

This session, the only object of which is to give the Chambers an opportunity of organizing themselves, will be almost immediately prorogued, and it will be needless to demonstrate to you, sir, the impossibility of keeping a legislature assembled at a season of the year, during which in France, as in the United States, and in most countries under a constitutional form of government, parliamentary labors are habitually suspended.

I regret, then, that on this point His Majesty's Government is unable to accede

to the desire which you have expressed to me, as to the demands that the Chamber should be convoked in the autum in order to determine on the subject of the bill which was presented during the last session, it would be equally impossible for the King's Government to enter into any positive engagement to that effect. But as soon as they can be assembled you may be assured that among the subjects first submitted to their deliberations will be the treaty, all the stipulations of which we sincerely desire to obtain the means of executing." In reply to an intimation of Mr. Livingston, that the President could not avoid laying before Congress, at the present session, a statement of the position of affairs, nor under any circumstances permit the session to end on the 3d of March next, as it must, without recommending such measures as he might deem that justice and the honor of the country should require, Admiral De Rigny expresses the hope, "that if the President of the United States should not consider himself at liberty to dispense with calling the attention of Congress to the state of this affair, he will only do so for the purpose of communicating the reasons for his confidence in the honesty of our intentions, and of counteracting any tendency to the adoption of measures, the more likely to be regretted, as they could only impede the settlement of a question from which we are sincerely desirous to exclude any new difficulties.

Mr. Livingston having again in his note of the 3d of August urged, with great earnestness and force, the fulfillment of the pledges given by Mr. Serrurier, at Washington, as he understood them, Admiral De Rigny, in his reply of the 7th of that month, finally says:

On reading over Mr. Serrurier's note I am unable, I confess, to find in it any engagement or expression which is at variance with what I have had the honor to communicate to you myself.

The King's minister at Washington has said nothing inconsistent with truth when he spoke of our disposition to do all that the constitution would permit in order to hasten the period for the presentation of the rejected bill. But you are aware that the execution of this plan is subordinate to considerations not to be lost sight of for the sake of the very end which both Governments are anxious to attain, and Mr. Serrurier can not have meant anything else in the part of his note which has thus been particularly regarded at Washington.

You know, sir, the motive which would prevent the presentation to the Chambers of the projet de loi respecting the convention of 1831, during the session, which will be immediately prorogued. Reasons, equally peremptory and equally clear, would forbid assembling the Chambers before winter for the special purpose of voting on the question, and it is with regret, I repeat, that we find ourselves unable to accede to the desire of the President of the United States on this point. But, besides the impossibility of keeping the Chambers together at a time of the year during which parliamentary labors are habitually suspended, and when the deputies already appear impatient to return to their homes, there is another consideration applying to the treaty of 1831, the importance of which can not have escaped your attention. Placed, as you are, in a situation to judge of everything here which could have relation to the question, you must have been convinced with what circumspection (*managemens*) it has to be treated before the legislature and the public; and your own observations on this point must have enabled you to appreciate the system of prudence and procrastination (*adjournement*) which the King's Government had prescribed for itself. These precautions are equally necessary and proper at present, and, without entering here into details, the want of which your own penetration may sasily supply, it is to be doubted, I must say, whether in the actual state of things an untimely (*anticipée*) assembling of the Chambers for the purpose of securing by their assent the execution of the treaty of 1831, would produce those advantages which are, at Washington, expected from such a course.

After these explanations, in which your Government will, I flatter myself, discover as much frankness as there is in the communications which it has instructed you to make, I repeat that as soon as the Chambers can be assembled, the projet de loi, which they discussed in their last session, will be one of the first subjects presented to them, and this new delay, I hope, will be far from injuring the prospect of success of an affair in which the assistance of time has already been usefully invoked.

Admiral De Rigny concludes his note by observing:

The moderation of the Chief Magistrate of the Republic of the United States is a new testimonial of the nobleness of his character and of the enlightened principles by which his policy is guided. He will continue, we doubt not, to display in

this business a spirit of wisdom and reconciliation well calculated to second our efforts for a successful termination of the affair; and he must be well persuaded that the French Government as it comprehends the extent of its engagements, will fulfill them with that good faith which presides over all its actions.

The committee thought it might be agreeable to the Senate to present copious extracts from the correspondence, showing the pledges contained in Mr. Serrurier's note, referred to by the President, and how they were understood at Washington and at Paris. The committee have believed it right, indeed, to embody in this report large portions of the correspondence and documents, that the means might be at hand of testing the correctness of the conclusions at which they have arrived by the proofs from which they were drawn, This was regarded by the committee as essentially necessary, in respect to Mr. Serrurier's assurances, since it is manifest that the President's conviction that they have been violated has exercised a controlling influence on his mind in recommending to Congress the measure of reprisals.

The committee concur with the President in considering that the general terms of the language of Mr. Serrurier's note authorized the interpretation that there would be an early call of the Chambers for the purpose of submitting the bill to them. That language is, that the intention of the King's Government, "moreover, is to do all that our constitution allows to hasten as much as possible the period of the new presentation of the rejected law." The King, by the constitution of France, has the power of convoking the Chambers whenever he pleases; and the exercise of this power or prerogative was necessary to comply with the terms of an engagement in which the Executive of the United States was assured that the period of presenting anew the rejected bill should be hastened as much as possible. The committee have not been able, however, to infer from the assurances or Mr. Serrurier, as the President has done, the further pledge that the result of the deliberations of the Chambers should be made known early enough to be communicated to Congress at the commencement of the present session. Such, no doubt, was the laudable wish of the President, but they do not think that an engagement to that effect is fairly to be implied from the assurances of the French minister.

It is manifest, from the message of the President, that the immediate cause of his recommendation of the contingent measure of reprisals was the failure to execute the pledges which he understood had been given. If, at the instance of Mr. Livingston, the appropriation bill had been submitted to the Chambers, convened on the 31st of July, 1834; or if they had been convoked for that purpose early in the autumn, and they had continued their deliberations on that subject down to the present time, it is not probable that the President would have recommended any measure of self-redress. It is not improbable to suppose that the President would have abstained from any such recommendation if he had known, what recent intelligence from France shows, that in point of fact the Chambers assembled on the 1st of December instead of the 29th, the day on which it was believed by the President they would meet.

In this limited view of the subject the question would be, whether the committee ought to advise the adoption of a measure the tendency of which may be a rupture between the two countries, because the King of France, in violation of a pledge, did not call its legislative bodies together some sixty or ninety days earlier than the period of

their accustomed meeting? If, without reason, such an extra session had been refused, the committee would hesitate before, for that sole cause, they would take upon themselves the responsibility of giving such advice. But the French Government have assigned reasons, at least plausible, for declining to accede to the President's wish for an extra session of the Chambers. They say that in France, as is known to be the case in the United States, during certain seasons of the year, legislative labors are habitually suspended; that, owing to the opposition to the bill of appropriation, they are obliged to proceed with great circumspection, and to adopt a system of prudence and procrastination; that Mr. Livingston, to whose personal knowledge they appeal (and he does not deny it), is aware, from his own observation, of the obstacles they have to encounter and the caution which they are bound to practice, that a special call of the Chambers would not be attended with the benefit expected from it at Washington, and might endanger the success of the measure; and, finally, they appeal to the moderation of the President to exercise a spirit of wisdom and reconciliation in seconding their efforts and in counteracting the adoption of any measures the tendency of which would be more regretted, as they could only impede the settlement of a question from which they profess themselves to be seriously desirous to exclude any new difficulties.

If these reasons are not sufficient to command conviction, the committee think that they ought to secure acquiescence in the resolution of the King not to hazard the success of the bill by a special call of the French legislature at an unusual season of the year. Throughout the whole negotiation which preceded the conclusion of the treaty and all that has followed it, the King of France has uniformly displayed a strong desire of a satisfactory accommodation of existing difficulties. And it is no more than a just tribute to his fidelity to declare, after a careful perusal of the whole correspondence, the conviction of the committee that up to the date of the last note from his minister of foreign affairs, in August last, he had invariably, on all suitable occasions, manifested an anxious desire, faithfully and honestly, to fulfill the engagements contracted under his authority and in his name. The opposition to the execution of the treaty and the payment of our just claims does not proceed from the King's Government, but from a majority in the Chamber of Deputies. In such a case, while the King and his ministers are exerting their best endeavors to secure an appropriation, sound policy requires that we should second them, strengthen them, and above all do nothing to impair their force and augment the opposition already prevailing against the treaty in the Chambers.

The refusal of one portion of a foreign government, whose concurrence is necessary to carry into effect a treaty with another, may be regarded in strictness as tantamount to a refusal of the whole government. But when the head of that foreign government, the organ which conducts all foreign intercourse, avows its anxious desire faithfully to execute the treaty; when it gives the strongest assurances of its determination to persevere, with the coordinate branches of the government, to the accomplishment of that end; when, too, means of fulfilling the treaty have been but once refused by a majority of only eight voices in an assembly composed of 344 members present; and when we reflect how often, in the annals of deliberative bodies, we find instances of measures which had previously failed ultimately succeeding, the committee must think that the time has not yet arrived for

entertaining consideration of the serious question whether the Congress of the United States ought now to resort to any measure of self-redress. The civilized spirit of the age, the forbearance and moderation which have ever characterized the Government of the United States, and the obligations of Congress to the people of the United States to avoid war, or measures tending directly to produce war, except in the last extremity, all seem to the committee to demand that we should await the result of the renewed exertions of the French King and his cabinet to secure the financial means to execute the treaty.

The committee agree with the President that the United States ought not to consent to going behind the treaty for any purpose of disturbing its mutual stipulations. It ought to be considered as having finally closed whatever it professes to settle. But for all other purposes the door of negotiation ought to be considered as yet open. The object of negotiation is by adducing facts and urging arguments and by appeals to reason to bring nations to common convictions and conclusions. In a previous part of this report it has been stated that deep-rooted prejudices and great misconception of facts prevailed in the Chambers with respect to the treaty, and especially in regard to the amount of indemnity. There is reason to apprehend that these impediments to a just consideration and a fair execution of the stipulations of the treaty are not yet completely removed. Among the last acts of the French Government which have been communicated by the Executive to the Senate is a note from the French minister of foreign affairs, under date the 8th August last, requesting information as to the proceedings of the commissioners appointed under the treaty with Spain of 1819; documents to prove that the owners of American vessels seized in St. Sebastian and sold at Bayonne, in 1810, have received no part of the indemnity allowed by that treaty; the report made to Congress by the board of commissioners at the last session of Congress for the distribution of the indemnity stipulated in the treaty of 1831, and the report to Congress of the indemnity for slaves allowed by England in the treaty of Ghent.

The object of this information and of these documents, sought for by the French ministry, is no doubt to enlighten the French Chambers and to carry into them the same conviction to which it has brought itself of the justice of our demands. It should be our wish and our aim in future negotiations to explain everything that is dark or doubtful and to afford the fullest and clearest elucidations on all points. We might, indeed, proudly and coldly hold up the treaty in our hands and say to France, "Here is your bond, which we demand you immediately to discharge." But we owe it to our character, to truth, to justice, to the dignity of the nation, to satisfy the French Chambers and the whole world that although our demand is sanctioned and justified by the solemn obligations of a national compact, we would scorn to insist upon it if it were not also sustained by the immutable principles of eternal justice.

In recommending adherence yet longer to negotiation for the purposes indicated, the committee are encouraged by the past experience of this Government. Almost every power of Europe, especially during the wars of the French Revolution, and several of those of the new States on the American continent, have from time to time given to the United States just cause of war. Millions of treasure might have been expended and countless numbers of human beings been sacrificed if the United States had rashly precipitated themselves

into a state of war upon the occurrence of every wrong. But they did not. Other and more moderate and better counsels prevailed. The result attested their wisdom. With most of the powers, by the instrument of negotiation, appealing to the dictates of reason and of justice, we have happily compromised and accommodated all difficulties. Even with respect to France, after negotiations of near a quarter century's duration, after repeated admissions by successive Governments of France of the justice of some portion of our claims, but after various repulses under one pretext or another, we have advanced, not retrograded. France, by a solemn treaty, has admitted the justice and stipulated to pay a specified sum in satisfaction of our claims. Whether this treaty is morally and absolutely binding upon the whole French people or not, it is the deliberate act of the royal executive branch of the French Government, which speaks, treats, and contracts with all foreign nations for France. The execution of the stipulations of such a treaty may be delayed—postponed, as we have seen—contrary to the wishes of the King's Government, but sooner or later they must be fulfilled, or France must submit to the degrading stigma of bad faith.

Having expressed these views and opinions, the committee might content themselves and here conclude, but they feel called upon to say something upon the other branch of the alternative, stated in the outset as having been presented by the President of the United States to the consideration of Congress. The President is under a conviction that the United States ought to insist on a prompt execution of the treaty; and, in case it be refused or longer delayed, take redress in their own hands. He accordingly recommends that a law be passed authorizing reprisals upon French property in case provision shall not be made for the payment of the debt at the approaching session of the French Chambers. This measure he deems of a pacific character, and he thinks it may be resorted to without giving just cause of war.

It is true that writers on the public law speak and treat of reprisals as a peaceful remedy in cases which they define and limit. It is certainly a very compendious one, since the injured nation has only to authorize the seizure and sale of sufficient property of the debtor nation or its citizens to satisfy the debt due, and if it quietly submit to the process there is an end of the business. In that case, however, we should feel some embarrassment as to the exact amount of the French debt for which we should levy, because being payable in six installments, with interest computed from the day of the exchange of the ratifications of the treaty (February, 1832), only two of those installments are yet due. Should we enforce payment of those two only, and resort to the irritating if not hazardous remedy of reprisals as the others shall successively fall due, or in consequence of default in the payment of the first two consider them all now due and levy for the whole?

Reprisals do not of themselves produce a state of public war, but they are not unfrequently the immediate precursor of it. When they are accompanied with an authority from the Government which admits them to employ force, they are believed invariably to have led to war in all cases where the nation against which they are directed is able to make resistance. It is wholly inconceivable that a powerful and chivalrous nation like France would submit without retaliation to the seizure of the property of her unoffending citizens, pursuing their lawful commerce, to pay a debt which the popular branch of her legislature had refused to acknowledge and provide for. It can not be

supposed that France would tacitly and quietly assent to the payment of a debt to the United States by a forcible seizure of French property which, after full deliberation, the Chambers had expressly refused its consent to discharge. Retaliation would ensue, and retaliation would inevitably terminate in war. In the instance of reprisals made by France upon Portugal, cited by the President, the weakness of this power, convulsed and desolated by the ravages of civil war, sufficiently accounts for the fact of their being submitted to, and not producing a state of general hostilities between the two nations.

Reprisals so far partake of the character of war that they are an appeal from reason to force; from negotiation, devising a remedy to be applied by the common consent of both parties, to self-redress, carved out and regulated by the will of one of them; and if resistance be made, they convey an authority to subdue it, by the sacrifice of life if necessary.

The framers of our Constitution have manifested their sense of the nature of this power by associating it in the same clause with grants to Congress of the power to declare war, and to make rules concerning captures on land and water.

Without dwelling further on the nature of this power, and under a full conviction that the practical exercise of it against France would involve the United States in war, the committee are of opinion that two considerations decisively oppose the investment of such a power in the President, to be used in the contingency stated by him.

In the first place, the authority to grant letters of marque and reprisal, being specially delegated to Congress, Congress ought to retain to itself the right of judging of the expediency of granting them, under all the circumstances existing at the time when they are proposed to be actually issued. The committee are not satisfied that Congress can constitutionally delegate this right. It is true that the President proposes to limit the exercise of it to one specified contingency. But if the law be passed, as recommended, the President might, and probably would, feel himself bound to execute it in the event, no matter from what cause, of provision not being made for the fulfilment of the treaty by the French Chambers, now understood to be in session. The committee can hardly conceive the possibility of any sufficient excuse for a failure to make such provision. But if it should unfortunately occur, they think that, without indulging in any feeling of unreasonable distrust toward the Executive, Congress ought to reserve to itself the constitutional right which it possesses of judging of all the circumstances by which such refusal might be attended; of hearing France, and of deciding whether, in the actual posture of things as they may then exist, and looking to the condition of the United States, of France, and of Europe, the issuing of letters of marque and reprisal ought to be authorized or any other measure adopted.

In the next place, the President, confiding in the strong assurances of the King's Government of its sincere disposition to fulfill faithfully the stipulations of the treaty, and of its intention, with that view, of applying again to the new Chambers for the requisite appropriation, very properly signified during the last summer, through the appropriate organs at Washington and at Paris, his willingness to await the issue of this experiment. Until it is made, and while it is in progress, nothing, it seems to the committee, should be done on our part to betray suspicion of the integrity and fidelity of the French Government; nothing, the tendency of which might be to defeat the success

of the very measure we desire. This temporary forbearance is the more expedient, since the French Government has earnestly requested that we should avoid "all that might become a cause of fresh irritation between the two countries, compromit the treaty, and raise up an obstacle perhaps insurmountable to the views of reconciliation and harmony, which animate the King's council."

The President seems to have been aware of the possibility of a misinterpretation of his message, and he has sought to guard, the committee hope with success, against its being viewed in the light of a menace. But if his recommendation be followed up by the passage of a law of reprisals in Congress, it is much to be apprehended that our purpose might be supposed to be one of intimidation. France would look at our acts, not at our protestations. And, in a reversal of situations, Congress would hardly consider it consistent with its dignity, its independence, and the freedom of deliberation to pass an act of appropriation for a foreign government, with a measure of self-redress denounced and suspended over its head by that foreign government. If Congress shall decline authorizing reprisals, France will have no right to impute to the Government of the United States any design to appeal to her fears, and will be deprived of any such pretext for refusing to execute the treaty. In that event the message of the President will be regarded as the manifestation of a lively sensibility to the honor and interests of his country, but his recommendation, not being adopted by the only department of the Government competent to carry it into effect, it could afford no apology to France for disregarding the obligations of national faith and justice.

It may, and probably will, be asked, But suppose, contrary to all our just expectations, France should continue to fail to execute the treaty. What is then to be done? The committee will indulge no such supposition. They will not anticipate the possibility of a final breach by France of her solemn engagements. They limit themselves to a consideration of the posture of things as they actually now exist. They will not look beyond the impenetrable veil which covers the future. At the same time it can not be doubted that the United States are abundantly able to sustain themselves in any vicissitudes to which they may be exposed. The patriotism of the people has been hitherto equal to all emergencies, and if their courage and constancy when they were young and comparatively weak bore them safely through all past struggles, the hope may be confidently entertained now, when their numbers, their strength, and their resources are greatly increased, that they will, whenever the occasion may arise, triumphantly maintain the honor, the rights, and the interests of their country. Without, however, prematurely disclosing the mode of performing any duty which the Government of the United States may, in any contingency, hereafter be called upon to fulfill to the people of these States; without expressing any anticipations inconsistent with the honor and good faith, or announcing any purposes wounding to the pride of France, the committee think it most expedient to leave Congress unfettered and free to deliberate on whatever exigency may henceforward arise.

Entertaining these opinions and views upon the present state of our relations with France, the committee finally conclude by recommending to the Senate the adoption of the following resolution:

Resolved, That it is inexpedient at this time to pass any law vesting in the President authority for making reprisals upon French property in the contingency of provision not being made for paying to the United States the indemnity stipulated by the treaty of 1831 during the present session of the French Chambers.

[See pp. 5, 6, 8, 10, 12, 47.]

March 3, 1835.

On the message of the President in relation to affairs with France, Mr. Clay reported as follows:

In the former report of the 6th January, 1835, they communicated to the Senate the views, at large, which they entertained of the controversy unhappily existing between the United States and France respecting the nonexecution of the treaty of indemnity upon the state of the information which the committee then possessed. They believed, from all the evidence within their reach, that the King of France was sincerely desirous, in good faith, to fulfill the stipulations of the treaty. The bill to accomplish that object had been rejected by a majority, but its rejection was followed by a prompt assurance of the King's Government that it should be again introduced and its passage through the Chambers urged by all the constitutional means at the command of His Majesty. The President acquiesces in the delay necessary to make this new experiment, expressing, however, his expectation that no time would be lost in again presenting the bill, and that for this purpose an extraordinary meeting of the Chambers would be convoked. This was not done; but, assuming the good faith of the King, the committee thought it not unreasonable to leave to him the selection of the time and circumstances under which, with the most probability of success, he might deem it best to submit the new bill to the consideration of the Chambers. In that conclusion the committee perceive themselves now fortified by an official and uncontradicted statement of the Count de Ryaz contained in his note to Mr. Livingston, under date of the 30th ultimo, in which the Count says to him:

> Their assemblage (that of the Chambers) was not indeed immediately followed by the presentment of the bill relative to the American claims; but you, sir, know better than any other person the causes of this new delay. You yourself requested us not to endanger the success of this important affair by mingling its discussion with debates of a different nature, as this mere coincidence might have the effect of bringing other influences into play than those by which it should be naturally governed. By this request you clearly showed that you had, with your judicious spirit, correctly appreciated the situation of things and the means of advancing the cause which you were called to defend.

In that condition of the question the committee thought it most proper to await the issue of the new appeal to the French Chambers, and, in the meantime, to abstain from the legislative adoption of the measure of reprisals, which might imply a distrust of the French Government, and, by being construed into a menace, might prevent the passage of the bill. And here again, the committee see, with satisfaction, that they are fortified by the opinion of Mr. Livingston. In his dispatch to the Secretary of State, under date the 11th of January, 1835, he says:

> Should Congress propose commercial restrictions, or determine to wait to the end of the session before they act, this will be considered as a vote against reprisals, and then the law will be proposed, and I think carried. If the mere silence of Congress would have had a tendency to allay the excitement of France, produced by the recommendation of the law of reprisals, a positive vote of Congress against them was much more likely to effect that desirable object.

But the committee also thought that, whilst measures were in progress in France to secure an appropriation to execute the treaty, it was due, both to the confidence which had been reposed in the assurances

of the King and to the dignity of the United States, to studiously avoid all intimation of ulterior or contingent purposes.

The Senate concurred in these sentiments of the committee, and on the 14th day of January, 1835, unanimously passed a resolution declaring that it was inexpedient at that time to adopt any legislative measure in regard to the state of affairs between the United States and France.

The Senate having thus distinctly taken the ground of forbearance to adopt any legislative measure until the result should be known of the second appeal to the French Chambers for the pecuniary means to execute the treaty, the committee have carefully and attentively examined the message of the President and accompanying correspondence, now referred to them, to discover if they furnished any motives to change that ground.

The committee have perused parts of that correspondence with painful regret. It appears that the King of France, taking offense at the recommendation of the law of reprisals contained in the President's message, and especially in the imputation to him of bad faith which he supposes to be conveyed in the same message, has recalled the French minister at Washington, directing him to be substituted by a chargé d'affaires, and has caused passports to be tendered to the American minister at Paris. Mr. Livingston, nevertheless, remained at the French court awaiting the orders of his own Government. These have been transmitted to him and require the departure of the American legation from France in the event of a second rejection of the bill of indemnity, and in that of its passage Mr. Livingston's departure, leaving a chargé d'affaires.

Thus the original and inherent difficulties in the way of the appropriation of the fiscal means to execute the treaty are in danger of being increased by a misunderstanding on collateral and subordinate questions. It is to be regretted that the French Government, acquainted as it must be with the structure and Constitutional distribution of powers of the American Government, did not wait the result of the deliberations of Congress upon the President's recommendation before it resorted to a suspension of diplomatic intercourse through the customary organs. A delay of a few weeks would have borne to France intelligence that neither House of Congress coincided in opinion with the President as to the expediency of authorizing reprisals in the present state of the relations between the two countries, and that the Senate by a unanimous vote had pronounced any legislative measure whatever to be inexpedient.

The French minister has taken his departure, leaving the first secretary of the legation in charge with the affairs of his Government. Without stopping to comment upon certain unpleasant occurrences between him and the Secretary of State immediately preceding his departure, the committee express their concurrence in the propriety of recalling Mr. Livingston, under existing circumstances, in both the contingencies which have been provided for in his instructions.

The recall of ministers is the usual preliminary of the actual commencement of hostilities. In this instance the committee are happy to find that no such consequence is likely to ensue, but that, on the contrary, according to Mr. Livingston's opinion, it will probably prove to be the harbinger of an amicable adjustment by removing the only cause which threatened a disturbance of the harmony between the two countries. The King of France, irritated by the President's message, has sought to heal his wounded sensibility by a recall of his

minister. Being satisfied on that point, the King's Government naturally turn their attention to the primitive sources of whatever misunderstanding now unfortunately exists between the two Governments, and again introduced into the Chamber of Deputies the bill to provide for the debt which the treaty of July contracts to pay. And Mr. Livingston states that he has very little doubt it will pass. Its fate is not, however, yet known.

Far from perceiving, in the correspondence communicated by the President, any motives to vary the position taken by the Senate on the 14th of January last, all the considerations which united in recommending it have acquired additional force from that correspondence. And the committee, therefore, conceive that the Senate ought to adhere to the resolution which it then formed to await the result of the second appeal to the French Chambers, and, in the meantime, to intimate no ulterior purpose, but to hold itself in absolute reserve for whatever exigencies may arise.

Instead of feeling any necessity for legislating at present on the contingency of a failure of the French Chambers to make the requisite appropriation to fulfill the treaty, the committee can not conclude the performance of the duty assigned to them without expressing their congratulations to the Senate on the prospect held out by Mr. Livingston of a termination of the misunderstanding between the two countries, and a consequent preservation of the peace yet happily existing between them. The bare possibility of the interruption of it has filled the committee with the greatest inquietude. War, with all its train of sufferings, crimes, and cruelties, should never be resorted to but on the last extremity. A war with France particularly, considering the ancient ties of friendship which have hitherto bound the two nations together and the manifest interest which both have in the cultivation of peace, would excite feelings of the most profound regret. A rupture, of which no one could foresee the probable termination, between two of the freest and most enlightened nations on earth, for a debt of only about five millions of dollars, not yet wholly due, and which with its accumulating interest must be ultimately paid, would exhibit to the civilized world a mortifying spectacle without a parallel and injurious to both parties. Every aspect under which such a war can be contemplated would be ominous. Limited, as its theater would probably be, to the ocean, the United States, instead of maintaining the liberal code for which they have hitherto contended, might find themselves called upon to assert principles, as to the right of search, contraband, and blockade, against which they have so often protested. And it would almost be a miracle if, in the practical appreciation of some of these principles, they did not find themselves involved in serious collisions with neutral powers whose marines would be profiting on the sacrifices of the belligerents.

The committee fervently hope that those who are intrusted with the destiny of both nations will constantly keep in view and earnestly endeavor to avert the calamitous consequences of such a war, and that, subduing every personal emotion of passion, pride, or prejudice, they will hasten to consummate what has been deliberately stipulated. Thus the well-known patriotism and gallantry of two great people will be best reserved for the more serious trials to which, under the dispensations of Providence, they may be hereafter respectively exposed.

The committee ask the Senate to be discharged from the further consideration of the message of the President.

(Leg. Jour., p. 222.)

[See pp. 74, 78, 118, 221, and Affairs in Cuba, Vol. VII.]

TWENTY-FOURTH CONGRESS, FIRST SESSION.

June 18, 1836.

[Senate Report No. 406.]

Mr. Clay made the following report:

The Committee on Foreign Relations, to whom were referred resolutions of the legislature of Connecticut, sundry memorials, and other proceedings of various meetings of the people, all recommending the recognition of the independence of Texas, have, according to order, had them under consideration, and now beg leave to submit to the Senate the following report and resolution:

The right of one independent power to recognize the fact of the existence of a new power about to assume a position among the nations of the earth is incontestable. It is founded upon another right, that which appertains to every sovereignty to take care of its own interests by establishing and cultivating such commercial or other relations with the new power as may be deemed expedient. Its exercise gives no just ground of umbrage or cause of war. The policy which has hitherto guided the Government of the United States in respect to new powers has been to act on the fact of their existence, without regard to their origin, whether that has been by the subversion of a preexisting government or by the violent or voluntary separation of one from another part of a common nation. In cases where an old and established nation has thought proper to change the form of its government the United States, conforming to the rule which has ever governed their conduct, of strictly abstaining from all interference in the domestic concerns of other states, have not stopped to inquire whether the new government has been rightfully adopted or not. It has been sufficient for them that it is in fact the government of the country, in practical operation. There is, however, a marked difference in the instances of an old nation which has altered the form of its government and a newly organized power which has just sprung into existence. In the former case (such, for example, as was that of France) the nation had existed for ages as a separate and independent community. It is matter of history; and the recognition of its new governments was not necessary to denote the existence of the nation; but, with respect to new powers, the recognition of their governments comprehends, first, an acknowledgment of their ability to exist as independent states, and secondly, the capacity of their particular governments to perform the duties and fulfill the obligations toward foreign powers incident to their new condition. Hence more caution and deliberation are necessary in considering and determining the question of the acknowledgment of a new power than that of the new government of an old power.

The Government of the United States has taken no part in the contest which has unhappily existed between Texas and Mexico. It has avowed its intention, and taken measures to maintain a strict neutrality toward the belligerents. If individual citizens of the United States, impelled by sympathy for those who were believed to be struggling for liberty and independence against oppression and tyranny, have engaged in the contest, it has been without the authority of their Government. On the contrary, the laws which have been hitherto found necessary or expedient to prevent citizens of the United States

from taking part in foreign wars have been directed to be enforced. Sentiments of sympathy and devotion to civil liberty, which have always animated the people of the United States, have prompted the adoption of the resolutions and other manifestations of popular feeling which have been referred to the committee, recommending an acknowledgment of the independence of Texas. The committee share fully in all these sentiments; but a wise and prudent government should not act solely on the impulse of feeling, however natural and laudable it may be. It ought to avoid all precipitation, and not adopt so grave a measure as that of recognizing the independence of a new power until it has satisfactory information and has fully deliberated.

The committee have no information respecting the recent movements in Texas except such as is derived from the public prints. According to that, the war broke out in Texas last autumn. Its professed object, like that of our revolutionary contest, in the commencement, was not separation and independence, but a redress of grievances. In March last independence was proclaimed and a constitution and form of government were established. No means of ascertaining accurately the exact amount of the population of Texas are at the command of the committee. It has been estimated at some sixty or seventy thousand souls. Nor are the precise limits of the country which passes under the denomination of Texas known to the committee. They are probably not clearly defined, but they are supposed to be extensive, and sufficiently large, when peopled, to form a respectable power.

If the population is small; if, when compared with that of the United Mexican States, amounting probably to not less than 8,000,000 souls, the contest has been unequal, it has, nevertheless, been maintained by Texas with uncommon resolution, undaunted valor, and eminent success; and the recent signal and splendid victory in which that portion of the Mexican army which was commanded by General Santa Ana, the President of the Mexican Government, in person was entirely overthrown, with unexampled slaughter, compared with the inconsiderable loss on the other side, put to flight, and captured, including among the prisoners the President himself and his staff, may be considered as decisive of the independence of Texas. That memorable event will probably be followed by negotiations which may lead to the acknowledgment by Mexico of the independence of Texas and the settlement of its boundaries. And, under all circumstances, it might, perhaps, be more conformable with the amicable relations subsisting between the United States and the United Mexican States that the latter should precede the former in the acknowledgment of the independence of Texas. But if the war should be protracted, or if there should be unreasonable delay on the part of the Mexican Government, the Government of the United States ought not to await its action.

The recognition of Texas as an independent power may be made by the United States in various ways: First, by treaty; second, by the passage of a law regulating commercial intercourse between the two powers; third, by sending a diplomatic agent to Texas, with the usual credentials; or, lastly, by the Executive receiving and accrediting a diplomatic representative from Texas, which would be a recognition as far as the Executive only is competent to make it. In the first and third modes the concurrence of the Senate, in its executive character, would be necessary; and, in the second, in its legislative character. The Senate alone, without the cooperation of some other branch of the

Government, is not competent to recognize the existence of any power. The President of the United States, by the Constitution, has the charge of their foreign intercourse. Regularly he ought to take the initiative in the acknowledgment of the independence of any new power. But in this case he has not yet done it, for reasons which he, without doubt, deems sufficient. If, in any instance, the President should be tardy, he may be quickened in the exercise of his power by the expression of the opinion or by other acts of one or both branches of Congress, as was done in relation to the republics formed out of Spanish America. But the committee do not think that on this occasion any tardiness is justly imputable to the Executive. About three months only have elapsed since the establishment of an independent government in Texas; and it is not unreasonable to wait a short time to see what its operation will be, and especially whether it will afford those guarantees which foreign powers have a right to expect before they institute relations with it.

Taking this view of the whole matter, the committee conclude by recommending to the Senate the adoption of the following resolution:

Resolved, That the independence of Texas ought to be acknowledged by the United States whenever satisfactory information shall be received that it has in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power.

(Leg. Jour., p. 448.)

[See pp. 72, 78, 118.]

TWENTY-FOURTH CONGRESS, SECOND SESSION.

February 18, 1837.

[Senate Report No. 189.]

Mr. Buchanan, from the Committee on Foreign Relations, submitted the following report:

The Committee on Foreign Relations, to whom was referred the message of the President of the United States of the 6th instant, with the accompanying documents, on the subject of the present state of our relations with Mexico, report:

That they have given to this subject that serious and deliberate consideration which its importance demands, and which any circumstances calculated to interrupt our friendly relations with the Mexican Republic would necessarily insure. From the documents submitted to the committee it appears that ever since the revolution of 1822, which separated Mexico from Spain, and even for some years before, the United States have had repeated causes of just complaint against the Mexican authorities. From time to time, as these insults and injuries have occurred, demands for satisfaction and redress have been made by our successive public ministers at the city of Mexico, but almost all these demands have hitherto proved unavailing.

It might have been expected that after the date of the treaty of amity, commerce, and navigation concluded between the two Republics on the 5th day of April, 1831, these causes of complaint would have ceased to exist. That treaty so clearly defines the rights and the duties of the respective parties that it seems almost impossible to misunderstand or to mistake them. The committee, notwithstanding, regret to be compelled to state that all the causes of complaint against Mexico which have been specially noticed in the correspondence referred to them have occurred since the conclusion of this treaty.

We forbear from entering into any minute detail of our grievances. The enumeration of each individual case with its attendant circumstances, even if the committee were in possession of sufficient materials to make such a compilation, is rendered unnecessary from the view which they have taken of the subject. These cases are all referred to in the Document No. 81, entitled "Claims on Mexico," in the letter of instructions from Mr. Forsyth to Mr. Ellis of the 20th July, 1836, and in the subsequent correspondence between Mr. Ellis and Mr. Monasterio, the acting Mexican minister of foreign affairs.

If the Government of the United States were disposed to exact strict and prompt redress from Mexico, your committee might with justice recommend an immediate resort to war or to reprisals. On this subject, however, they give their hearty assent to the following sentiments contained in the message of the President. He says:

> The length of time since some of the injuries have been committed, the repeated and unavailing applications for redress, the wanton character of some of the outrages upon the property and persons of our citizens, and upon the officers and flag of the United States, independent of recent insults to this Government and people by the late extraordinary Mexican minister, would justify, in the eyes of all nations, immediate war. That remedy, however, should not be used by just and generous nations, confiding in their strength, for injuries committed, if it can be honorably avoided; and it has occurred to me that, considering the present embarrassed condition of that country, we should act with both wisdom and moderation by giving to Mexico one more opportunity to atone for the past before we take redress into our own hands.

In affording this opportunity to the Mexican Government, the committee would suggest the propriety of pursuing the form required by the thirty-fourth article of the treaty with Mexico, in all the cases to which it may be applicable. This article provides that—

> If [what indeed can not be expected] any of the articles contained in the present treaty shall be violated or infracted in any manner whatever, it is stipulated that neither of the contracting parties will order or authorize any acts of reprisal nor declare war against the other on complaint of injuries or damages until the said party considering itself offended shall first have presented to the other a statement of such injuries or damages, verified by competent proofs, and demanded justice and satisfaction, and the same shall have been either refused or unreasonably delayed.

After such a demand, should prompt justice be refused by the Mexican Government, we may appeal to all nations, not only for the equity and moderation with which we shall have acted toward a sister Republic, but for the necessity which will then compel us to seek redress for our wrongs, either by actual war or by reprisals. The subject will then be presented before Congress at the commencement of the next session in a clear and distinct form, and the committee can not doubt but that such measures will be immediately adopted as may be necessary to vindicate the honor of the country and insure ample reparation to our injured fellow-citizens. They leave the mode and manner of making this demand to the President of the United States.

Before concluding their report, the committee deem it necessary to submit a few remarks upon the conduct of Mr. Gorostiza, the late envoy extraordinary and minister plenipotentiary of the Mexican Republic to the United States. In regard to that functionary they concur fully in opinion with Mr. Forsyth, that he was under the influence of prejudices which distorted and discolored every object which he saw while in this country. On the 15th October, 1836, he terminated his mission by demanding his passports. And for what reason? Because the President refused to recall the orders which he had issued to the general commanding the forces of the United States in the

vicinity of Texas, directing him to pass the frontier, should it be found a necessary measure of self-defense; but prohibiting him from pursuing this course unless the Indians were actually engaged in hostilities against the citizens of the United States, or he had undoubted evidence that such hostilities were intended and were actually preparing within the Mexican territory.

A civil war was then raging in Texas. The Texan troops occupied positions between the forces of Mexico and the warlike and restless tribes of Indians along the frontiers of the United States. It was manifest that Mexico could not possibly restrain by force these tribes within her limits from hostile incursions upon the inhabitants of the United States, as she had engaged to do by the thirty-third article of the treaty. No matter how strong may have been her inclination, the ability was entirely wanting. Under such circumstances, what became the duty of the President of the United States? If he entertained reasonable apprehensions that these savages meditated an attack from the Mexican territory against the defenseless citizens along our frontier, was he obliged to order our troops to stand upon the line and wait until the Indians, who know no rule of warfare but indiscriminate carnage and plunder, should actually invade our territory? To state the proposition is to answer the question. Under such circumstances, our forces had a right, both by the law of nations and the great and universal law of self-defense, to take a position in advance of our frontier, in the country inhabited by these savages, for the purpose of preventing and restraining their incursions.

The Sabine is so distant from Washington that it became absolutely necessary to intrust this discretionary power to the commanding general. If the President had not issued such orders in advance, all the evils might have been inflicted before the remedy could have been applied; and, in that event, he would have been justly responsible for the murders and devastation which might have been committed by the Mexican Indians on citizens of the United States.

When these discretionary orders were issued to General Gaines, they were immediately communicated to Mr. Gorostiza, in the most frank and friendly spirit. The fullest explanations of the whole proceeding were made to him, and he was over and over again assured that this occupation of the Mexican territory, should it become necessary, would be of a limited, temporary, and purely defensive character, and should continue no longer than the danger existed; that the President solemnly disclaimed any intention of occupying the territory beyond the Sabine with a view of taking possession of it, as belonging to the United States; and that this military movement should produce no effect whatever upon the boundary question.

The committee believe that Mr. Gorostiza ought to have been satisfied with these explanations. But they failed to produce any effect upon his mind. Without instructions from his Government, he retired from his mission upon his own responsibility. This was not all. Before he left the United States he published a pamphlet containing a portion of his correspondence with our Government and with his own, from which latter it appears that, while engaged upon the business of his special mission here, he was making charges of bad faith against the United States to the Mexican secretary of foreign relations. The committee will not enlarge upon the glaring impropriety of such conduct. The publication of such a pamphlet by a foreign minister, in the country to which he has been accredited, before taking his departure, can be considered in no other light than as an appeal

to the people against the acts of their own Government. It was a gross violation of that diplomatic courtesy which ought ever to be observed between independent nations, and deserves the severest condemnation. This act was still more extraordinary when we consider that it almost immediately followed the note of Mr. Dickins to him of the 20th October, 1836, assuring him that the President would instruct Mr. Ellis to make such explanations to the Mexican Government of the conduct of that of the United States as he believed would be satisfactory.

The committee regret to learn from the note of Mr. Ellis to Mr. Forsyth of the 9th December last, that the Mexican Government has publicly approved of the conduct of its minister whilst in the United States. They trust that a returning sense of justice may induce it to reconsider this determination. They are willing to believe that it never could have been made, had that Government previously received the promised explanation of the President, contained in the letter of Mr. Forsyth to Mr. Ellis of the 10th December, 1836, which, unfortunately, did not reach Mexico until after the latter had taken his departure. This letter, with the President's message at the commencement of the present session of Congress, can not fail to convince the Mexican Government how much they have been misled by the representations of their minister.

After a full consideration of all the circumstances, the committee recommend the adoption of the following resolution:

Resolved, That the Senate concur in opinion with the President of the United States that another demand ought to be made for the redress of our grievances from the Mexican Government, the mode and manner of which, under the thirty-fourth article of the treaty, so far as it may be applicable, are properly confided to his discretion. They can not doubt, from the justice of our claims, that this demand will result in speedy redress; but, should they be disappointed in this reasonable expectation, a state of things will then have occurred which will make it the imperative duty of Congress promptly to consider what further measures may be required by the honor of the nation and the rights of our injured fellow-citizens.

(Leg. Jour., p. 265.)

[See pp. 5, 7, 12, 19, 196.]

TWENTY-SIXTH CONGRESS, FIRST SESSION.

April 13, 1840.

On motion of Mr Calhoun, of March 4, 1840, as to national rights of vessels and their exemption from search by vessels of other nations, Mr. Buchanan reported the following resolutions:

Resolved, That a ship or vessel on the high seas, in time of peace, engaged in a lawful voyage, is, according to the laws of nations, under the exclusive jurisdiction of the State to which her flag belongs; as much so as if constituting a part of its own domain.

Resolved, That if such ship or vessel should be forced by stress of weather or other unavoidable cause into the port and under the jurisdiction of a friendly power, she and her cargo and persons on board, with their property and all the rights belonging to their personal relations, as established by the laws of the State to which they belong, would be placed under the protection which the laws of nations extend to the unfortunate under such circumstances.

Resolved, That the brig *Enterprise*, which was forced unavoidably

by stress of weather into Port Hamilton, Bermuda Island, while on a lawful voyage on the high seas from one port of the Union to another, comes within the principles embraced in the foregoing resolutions; and that the seizure and detention of the negroes on board by the local authority of the island was an act in violation of the laws of nations and highly unjust to our own citizens, to whom they belong.

(Leg. Jour., pp. 216, 303, 311.)

[See pp. 33, 72, 74, 118, 199, 219.]

TWENTY-EIGHTH CONGRESS, SECOND SESSION.

February 4, 1845.

[Senate Report No. 79.]

Mr. Archer, from the Committee on Foreign Relations, submitted the following report:

The Committee on Foreign Relations, to which have been referred sundry joint resolutions and a bill on the subject of the annexation of Texas, and also sundry instructions of State legislatures, and memorials and petitions on the same subject, have had the same under consideration, and report:

The question of the incorporation of Texas into the United States has awakened and is exercising in no ordinary degree the reflection and the sensibilities of the country. The interests it addresses are so powerful and the prepossessions and feelings to which it appeals so vehement in their temper as fully to explain the solicitude which hangs on the decision. This feeling is as diffused as intense—every head is filled with the interest of the discussion and every tongue employed in it. Nor is the prognostic yet decisive of the issue, the scales of the controversy depending by a beam too tremulous to give assurance of their adjustment.

Excitement, unhappily, is not confined to individual sentiment. This temper has extended itself to some of the public bodies of the country, evincing in their proceedings the malignity of its influence. The accents unhallowed have been heard in more than one quarter denouncing danger to the integrity of the Union in the event of the refusal to annex Texas in some parts—of the persistence in the policy of doing so in others.

In a condition like this of the temper in which the subject of the policy of annexation is regarded the committee could have no hope of contributing to any advantageous result were they to engage in the discussion. Opinion is too inflexible in its array on the different sides of the question for further discussion to promise successful inroad on either side. The committee, desirous in this state of the question to be at liberty to decline it, find authority for doing so in the circumstances of the reference to them. The propositions submitted, being framed in each instance with a view to the annexation of Texas, the real intendment of the submission to them has not been so much to elicit an opinion on the vexed question of the policy of annexation as to report on the fitness of the several schemes proposed for carrying the policy into effect. In this view, which has been impressed forcibly on the committee, they have not felt that they would be practicing any improper avoidance of a duty imposed upon them in deciding to confine their research to the character of the measures referred as the

proposed expedients of annexation, leaving aside, not as inappropriate to their office of inquiry, but as already passed on, though in different modes, by the country, the large and agitating topic of the expediency. This explanation they do not permit themselves to doubt will, if not received by the Senate with approval, attract no reproof of the course they have adopted.

Confined, then, to the question of the qualification of the schemes of annexation proposed, they have supposed this inquiry of qualification to relate to the constitutional discussions which have been raised in connection with the propositions of annexation, respectively. These last questions, as the assigned province of their inquiry, they proceed to consider.

The propositions of annexation have a pervading character and involve, all of them, the assertion of two distinctive principles: First. That a power to annex foreign territory and population belongs to the Government. Second. That this power is deposited with Congress—the legislative branch of the Government. These assertions resolve in subdivisions: First. Is there a power in the Government to introduce foreign territory into the Union? If there be, is Congress the department to exert it? Is there power to introduce to the bosom of the Union, in mass, a foreign population? If there be, which is the department—is it Congress—which has the authority to exert it? And if foreign territory and population may, under the Constitution, be admitted into the Union, can they be received in combination—that is to say, in the form of a political State, sloughing off its primordial condition in this respect, and transferring itself to the Union as a member?

These, and resulting in this mode of resolution, form the topics for examination to which the committee have to address themselves.

And of these, first, is there a power in the Government to make acquisition of foreign territory? This inquiry is not precluded, it must be observed, by the fact that the power has been exerted—acquiesced in—territory to a great extent acquired, and this distributed in modes of irrevocable disposition. The power may have been unduly exerted—assumed—or circumstances may have had existence forming one of the allowed cases in which restraint, even moral as well as political, is permitted to be dispensed with. Circumstances of this character, it does not admit of denial, are of possible though not of frequent occurrence. An imperious pervading law holds sway over all the institutions of man. Their peculiar requirements, however recommended in the ordinary condition of affairs, must bend to the principle of their creation—a paramount utility. Nor can the proposition admit of controversy that the cases to which this privilege of exception may apply may be short of the rigor of the recognized principle of the salus populi. Institutions and their forms, of the highest grade, constitutions of government, have no exemption from this law of relaxation of an inflexible rigor in possible modifications of contingency.

To the description falling under this rule of relaxation the circumstances which attended the acquisition of Louisiana (the first of our territorial acquisitions) would without question have been assignable had it needed such defense. Neither the laws of nature, nor reason, nor the ties, not less exacting than interest, of affinity, could demand of the West continued adherence to the Union if the control of the debouchment of the Mississippi were not secured to it. To this region this debouchment was the artery of life. In the obstruction of its

circulation, the gigantic limb must perish, which, destined to be, as was foreseen, and as it has become, the strength and pride of the Union. And obstruction had then recently occurred, the menace of it permanent, of this vital circulation.

It was in these circumstances that Mr. Jefferson, then at the head of our affairs, "seized," to employ his own language, "a fugitive occurrence" to realize a great and signal and inappreciable benefit to his country, which would have been his title to renown had the author of the Declaration which announced the Independence of his country and who had aided to fix its foundations wanted further title to reputation.

And yet this same author of this magnificent achievement was the person to fix the stigma of an illegitimate acquirement on the trophy which he had consecrated to his country. Not only did he not arrogate, he was loud, on the contrary, and emphatic in the disclaimer of the authority he had wielded, if not in the preservation, for the great advancement of his country. His vindication—for, even in the complacency and pride of the memorable merit, it was he that held the tone of vindication and invoked the application of indemnity—his vindication he put on the ground of a benefit too large to admit of sacrifice to the inhibition even of the Constitution. The language is so remarkable and the position of Mr. Jefferson so peculiar to the question of power in discussion that omission to quote it particularly would want excuse in the analysis of a question a material part of which is its history. This quotation follows:

> This treaty [said he, referring to the then recent fact of the acquisition] must, of course, be laid before both Houses [Congress], because both have important functions to exercise respecting it. They, I presume, will see their duty to their country in ratifying and paying for it, so as to secure a good which would otherwise probably never be again in their power. But I suppose they must then appeal to the nation for an additional article to the Constitution, approving and confirming an act which the nation had not previously authorized. The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The Executive, in seizing the fugitive occurrence, which so much advances the good of their country, has done an act beyond the Constitution.

Subsequent reference is made to an act of indemnity, and, in another place, an amendment of the Constitution is suggested, to make provision for the case of Louisiana, and for that of the introduction of Florida, in the contemplation of this last acquisition.

Recurrence, then, to the earliest and fundamental precedent of the exercise of the power in question would yield no support to the claim of it. The exercise, on the contrary, founds its claim to vindication on the plea exclusively of a superior occurrence of public exigency, which overrode the restriction of the Constitution. Exercise of the power, therefore, seeking vindication under this precedent, would have to bring itself within the same predicament—invoke the authority of the same plea.

The committee, however, refer to this history of the first exercise of the power, and the doubt which was attached to its regularity as an essential part (as they have already said) of the statement of the origin and progress of the discussion on the subject of the power, and not at all as designing any expression of concurrence in the doubt. They hold this doubt, on the contrary, to want foundation in a just construction of the Constitution. That as the exertion of the power in the instances of its exertion had been, in a high degree, fraught with public benefit, so the exertion was void of any stain of irregular-

ity and assumption. The acts of exertion having taken their place in our history, the object is eminently desirable to relieve them from stigma, and to the committee the office, grateful, of being instruments, if they may become such, in the effectuation of the removal. Occasions for the further exercise may be presented in other times. In the honest judgments of many an instance is presented at this moment for exertion of the power no less fruitful in service and honor than those which have gone before it. The room for regret were undoubted, if occasions such as these, should they offer, must be repulsed, or be availed of "with reattachment of a stigma in their seizure."

The committee, or a majority (and when the designation is employed it is desired that it may be regarded as importing only a majority), entertained the undoubting opinion that not on what have received the denomination of latitudinous or liberal principles of construction of the Constitution only, but in conformity with the strictest, the power in question is clearly to be derived.

It will be necessary, obviously, in the maintenance of this assertion, to advert, in the degree which the purpose may require, to the principles of this strict construction referred to, in the way of measuring the assertion by their requirements, and ascertaining if it will bear their tests and modes of application of them.

The fundamental assumption, then, of the school of strict construction of the Constitution, conformed entirely to the fact, is that the Constitution makes a grant of powers, limited so strictly as to be comprehended by a schedule of enumeration of the powers, with the appurtenance only of incidents essential. According to this construction, there are none other than named powers in the instrument—the principal powers with their proper names, the incidental or subsidiary with a common name of "necessary and proper;" that is to say, fair, not forced, accidents of the principal or enumerated powers. A name by definition is as much a name, though not as exact, as an expressed one. The definition of their required attributes gives name to the subsidiary or incidental powers in the Constitution. The principal powers are set down by their cognomen, or names proper. But definition is naming, as naming is nothing else than a more compendious form of definition.

Any power, then, to be valid under the Constitution, must be able to answer to its name—the name in the case of the subsidiary powers being a family name, the name of a class of powers. Whether the power in discussion over the introduction of territory will answer the test of this description, has a name given, or proper to which it may respond, will be seen in the sequel.

The foreign territory which the nation has acquired having come through the avenue of the treaty-making power of the Government, the opinion until very recently has prevailed universally that this was the sole avenue through which it could be derived. When it has been inquired, Where does the treaty-making authority find power to acquire territory? it has been replied, by some of the politicians of the country, that the treaty-making power has been subjected to no limit by expression in the Constitution; that no limit is therefore predicable of its range, which is as wide as the exterior exigencies of the nation.

It was the just remark of Mr. Jefferson that if the power had this extent of range, then we had no Constitution; that there was indeed a paper, but a blank one. The committee yield entire assent to this opinion of Mr. Jefferson, and to his further doctrine, and that of his

school, that if the power has limits they must be constituted by the objects of the powers named in the Constitution. If this be so, the doctrine is sound; then the treaty-making power can never have capacity of exertion unless in the cases in which its aid is invoked by some one of the expressed powers to carry out the purpose which, being of exterior relation, the powers of domestic sphere of operation would be unable for that reason to reach without the aid of this power of exterior operation. The treaty-making power, under this construction, can never be any other than subsidiary—is never a power independent in its vocation, however it is so in its name and structure. It is the handmaid—waits on the occasions of the other powers; and though in no posture to receive orders from them, it never yet moves to its exertion save in subordination to their desires.

This character of the treaty-making power it is very important, in reference to just construction of the Constitution, to establish; and the establishment of this, with another related proposition, extremely essential to the argument in relation to the power of acquiring territory, which the committee have under review. Let the proposition be considered as conceded that the treaty-making power is never to exert its office but in subservience or execution of an object of another power. Then the related proposition follows, that there must be a purpose or object of another power to antecede exterior, and therefore which it can not attain except by the auxiliary function of the treaty-making power.

This analysis and description of its appropriate office contains the treaty-making power surely in entirely safe limits. It can not act except on behalf of another power, and in a case in which the object, being exterior, is out of the reach of that other domestic power.

But let it be remembered, on the other hand, that although this treaty only acts for other powers and in the single sphere of exterior concerns, within this sphere no other power has privilege to intrude; the domain is all its own, in a property exclusive. If the affair to be accomplished be exterior and require the intervention of compact to accomplish it, here with the treaty-making power is the office, and the sole office, to accomplish it. No other power has privilege to touch. The questions are presented: Is the affair exterior? Does it require the exercise of the function of compact for its arrangement? Then here is the province, not more undisputed than it is exclusive, to act. The power to which all exterior affairs, demanding arrangement by compact, which can only be effected through arrangement, compact, by bargain—these implying all of them terms, stipulations, conditions—the power to which these things are confided by the Constitution, how can it be intruded upon lawfully, invaded in its province, divested of its jurisdiction?

Is not this intrusion, invasion, overthrow of an appointed, distinct, plain jurisdiction established by the Constitution perpetrated when any matter which is admitted to be foreign and admitted to be inexecutable, except by the instrumentality of arrangement, is seized by another power or department of the Government and transferred to its own jurisdiction?

This reasoning, which it is manifestly impossible to subject to just impeachment, decides one, and that not the least important, of the questions under the review of the committee. The period of the discussion for its application to that topic has not yet been reached. At the appropriate season the application will be invited.

In the necessity to the progress of the argument of treating and

expounding the just character of the treaty-making power the order of the argument has been in some degree disturbed. Let it be restored—the path pursued of the inquiry into the derivation of the power to acquire foreign territory, of which the committee have professed themselves the advocates.

This power, it has been seen, if it be a true, not a spurious, derivation of strict construction of the Constitution, must answer to a name—an expressed name or a family name. Is its name in the Constitution? Not expressed. Indeed, expression is there which would wear the appearance of condemning this power to exclusion. Power is given to purchase and exercise exclusive control over portions of domestic territory, of dimensions extremely circumscribed, and that under a limitation to objects minutely specified. "Congress shall have power to exercise exclusive legislation," etc., "over all places purchased by consent of the legislature of the State," etc., "for the erection of forts, magazines, arsenals, dockyards, and other needful buildings." A power could not be conveyed under guard of limitation more strict as regards the faculty of acquisition. The limit is to small surfaces, for purposes not large in their scope, and this under the superadded restraint of the requisition of a State consent. But the power which the Government is permitted to exert over territory acquired abroad, beyond the limits of the United States, is of the same extent as regards jurisdiction precisely with this, which is given under guards so specific and strict in relation to the purchase of domestic territory. In the case of each the power, as regards jurisdiction, is of the largest description—that is to say, discretionary. "Congress shall have power to dispose of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States." Put on the foot of property, subject, like that, to power of disposal—unlimited privilege to regulate, with no restraint. This is the condition, as respects jurisdiction, to which territory acquired abroad comes on its admission to the authority of the Union. What authority is to be conceived of with scope more unconfined? How can the conception be framed, in connection with restraint, as respects the purchase of surfaces the most minute of domestic territory, of the grant of a faculty undefined and at the same time unlimited entirely as regards the acquisition of foreign territory? How are the stint in the one case, the profusion in the other, to be put into reconcilement? How find permission to make inference of any concession of a power to acquire territory abroad? If designed, must it not in these circumstances have been expressed, set down in the Constitution by the side of the limited power to make acquisition by purchase of domestic territory, or put into the elaborate schedule of the enumerated powers in the instrument? The inference adverse to the admission of the power from this source of construction would be irresistible but for a countervailing principle of yet higher import; and that is that inference from the omission to express positively must give way to any that may flow by fair deduction from that which has been expressed. This power to get foreign territorial possessions has not, indeed, been set out by expression in the Constitution, as might have been expected, supposing it contemplated. Yet, still, if it be found really, by fair inquisition, wrapped in a power or powers which have been set down, just construction finds no warrant for setting it aside and putting it under ban as spurious.

Is, then, this power to make acquisition of territory abroad within the pale of the Constitution? Does it answer to the name which it

has been seen is prescribed in relation to power seeking admission to this pale? Can it give the countersign of the Constitution to gain admission as a regular enlisted soldier in the service to the camp? That is the proposition to be inquired of—the matter to be ascertained.

The power must be by a plain, not a forced construction—the derivative of one of the named powers in the Constitution. Of which of these is it attributable as a clear incident? Is there any one? Answer, more than one. Territory may be a subject of transfer in several modes. Conquest transfers, it is one of the recognized modes; so does purchase. Or the supposition may be made of a voluntary concession by the political authority holding command of a territory, with a view to incorporation with another, such as we have lately seen under discussion among ourselves. In either of these modes can the United States become, with allowance from their Constitution, the receptacle of a grant of territory exterior to their limits? The United States and their Government, like all other powers in recognized independence, have the faculty (in our Constitution expressed) to declare and conduct war; of course, to make conquest of territory if occasion require; of course, to retain it in permanent occupation if the same occasion be found to demand this condition. Here, then, is the faculty uncontested to make the acquisition of foreign territory. To which of the departments of the Government this faculty is to be properly considered as inuring—with which it resides—will be the subject of consideration in another branch of the inquiry.

Next, acquisition by purchase. Is there a competency to this mode of acquisition? Mr. Jefferson, it has appeared, when he exerted this power of purchase in the case of Louisiana, held the opinion negative of the power. Is that to be regarded the just interpretation? The spectacle would be an anomaly, indeed, of a faculty admitted in a government to possess itself of foreign territory by the instrument of war, and yet precluded from the uses and power of the exercise of this faculty in peace. The occasions for the acquisition of territory being sincere and strong in possible instances, as in that of Louisiana, where the acquisition would have been made with certainty by war if the effectuation of the object had not taken place in peace, what sort of a government would that be, which, having real occasion for the possession of foreign territory—the mode of acquisition to be blameless, as purchase—was so constrained by its constitution as to be obliged to renounce the advantages of the acquisition, or have to purchase them by declaration of war against the party willing to transfer the possession desired? The idea of this form of bounty to war, and comprehended, too, among the restrictive properties of the Government (which is the character of the denial of the power to acquire a foreign possession in the mode of purchase under our Constitution) it would be no indulgence of license to call ridiculous but for the names of the persons who have avowed it.

Is, then, the Government of the Union endued with the power to gain a foreign possession in the mode of purchase? Have the gains of territory, great in extent, of value inappreciable, which have been made in this mode of acquisition been justly liable to the stigma of acquisition not authorized by the Constitution of the nation?

The committee, or a portion of them, deem this opprobrium gratuitous altogether; that the imputation of assumption of power not authorized ought not to attach to the history of the administration of Mr. Jefferson, though he has himself been the author of it.

The doubt on this subject is believed to have resulted from the cir-

cumstance of the clause in the Constitution relative to this exercise of the faculty of purchase—the clause which defines and sets out the objects of the application of money, known, for brevity, as the appropriating clause of the Constitution, having became very early a topic of vehement contention between the rival parties which sprung from the first administration of the Government. The terms of the clause give to Congress "the power to lay and collect taxes, duties, imposts, etc., to pay the debts and provide for the common defense and general welfare of the United States." By one construction of this phrase "the general welfare" was said to convey a scope of application of money coextensive with the convenient occasions which discretion might assign to the public expenditure. This construction was arraigned, and justly, of latitude at once unfounded, and full of a dangerous discretion in the office most exposed in Government to abuse the disbursement of its revenues.

As is the law of the human moral constitution, the party, filled with just impression of the character of this dangerous interpretation of the phrase in question, was impelled to a reverse extreme in the denial to the phrase of all operation, maintaining that it was to the powers enumerated in the Constitution and the execution of their proper purposes that the application of money could alone be made and by this measure to be confined. The objection to this construction was not permitted to avail, that it left no scope of operation whatever to the phrase "general welfare" in the clause, treating it as surplusage.

To a construction of that instrument which assigns to any clause, phrase, or word in it this character no man who has penetrated successfully the anatomy of its composition can be ever brought to accede. Marked, as it is by consenting eulogy, for the refinement of its structure, no less than the magnitude of the tribute of benefit it accords, let no presumption, standing in the view of this refinement and its results, pronounce impeachment against the structure; alleged deficiency of provision or excess; stone or beam wanting or superabundant; expression conveying too much or importing nothing; of signification mischievous or void of operation. Nor is there clause or phrase in the instrument more forcibly illustrative of this just praise than this misconstrued example, part of the definition of the application of money in the appropriating clause of the Constitution. It has been construed to have import of dangerous latitude; to be void of a distinctive import. In opposition to the last of these interpretations, the want of import, it will be found to have one full of significance. In opposition to the second, the imputation of latitudinous import, it will be found to have one purely restrictive of the expenditure of revenue—the reverse exactly of the characteristic in this respect assigned to it.

It was impossible, manifestly, to give distinct expression to all the various occasions of expense, in adjusting the framework of a government, the mechanism of the Constitution. This proposition is too plain to be illustrated. In adjusting the provision for expenditure, fashioning the clause which was to give the law to appropriation and the application of money, what, then, would be the obvious key to the mechanism? To employ phraseology of a comprehensiveness in which all essential occasions of expenditure should be included. In effecting this essential object, however, there would be danger of running into latitude inconsistent with the required guards on wasteful disbursement. In what manner or in any manner could the difficulty be obviated? The manner in which this reconciling purpose is effected

is one of the most signal and admirable, for its combined efficiency and safety, of the arrangements of the Constitution.

Expenditures wearing a national quality only are those which a Federal Government would have for its object to provide. Expense of every other character it would be, as much as possible, the object to exclude as not appropriate to the purpose and scope of the institution of government. It is not the purposes and interests common to the parties in a federal union which this Union and the Government which represents it are constructed to subserve. This supposition would involve a gross misapprehension of the design of such a Union. So far from this forming the design, the jealous propensity and purpose is to comprehend the smallest number of them possible.

Which, then, is the class of interests and concerns which it is within the purpose of a Federal Government to submit? Those which appertain not to the States severally, though common to all, but to their conjunct character as a political union or corporation. That is to say, the concerns which are general belong to this corporation, in place of those which appertain in common or otherwise to the component States in a disjunctive capacity. Provision for expenditure which was to have respect to this distinction could have no other single word to give expression to it but this word "general." Not several, not common, was the welfare for which provision was to be made, but corporate—that which attached to the political union, fashioned not by aggregation of concerns and interests, but extraction from them, leaving the residuum out of the pale of the Federal authority and confining the sphere of jurisdiction of this authority to the compound welfare constituted by the extraction; that is to say, the general welfare. The import of words is shown by their contrasts and opposites. This word "general" in the Constitution stands opposed not merely to what is particular or several, or common merely, but to what is incorporate or disjunct. Welfare, to be general, must not only be of the whole, but which attaches to it in this character as a whole.

In this, the just import of the expression, and its intendment in the appropriating clause of the Constitution, the phrase "general welfare" implies an interpretation more restricted than if it had been "common welfare," and the application of money authorized is more confined, therefore, in the use of the one than it would have been in the employment of the other of these phrases. The statement of the general welfare, as the permitted object of expenditure, was designed undoubtedly in restraint, not for enlargement, but to preclude enlargement in the scope of expenditure, by its expansion upon purposes and objects which might be common but not general to the Union. One subject of expense common only is permitted (on account of the vitality of its interest), defense. Expense otherwise must be limited to objects belonging to the political unity, the federation of the United States. Expense prohibited to the several beneficiaries, the component members, is restricted, as alone within the proper design and scope of federation, to this single "beneficiary."

The assertion is then sustained that the phrase "general welfare" in the Constitution is restrictive, not latitudinous in its just interpretation; conservative, and not dangerous, as has been supposed; and that it is not only in strict consistence with but demanded by the federal character of the Government, that the objects embraced by that phrase and, with one exception none other, should define the scope and attract the direction of its expenditure.

It is said that this phrase imports nothing beyond the execution of

the objects of the enumerated powers. Then why insert it, if these objects would attract the expenditure of the Government without it? Would it not, in this view, be plainly supererogatory?—its office and operation none? Its import and tenor have been shown to be pregnant with signification. Next, let its influence on other parts of the Constitution be examined.

In place of smothering this phrase, absorbing it entirely in themselves, where do these enumerated powers get authority for making the clause in any degree subservient to them—the instrument of their objects? Let this be looked into. The allegation is that the phrase "general welfare" is only operative in subservience to the expressed powers. Where is this indication of subservience expressed in the Constitution? In what clause of the instrument to be found? Not as part of the enumeration of powers attached to them by name. Not in the clause of appropriation itself. This clause contains no reference to the enumeration nor any part or member of it. How comes it sunk then—extinct, in this enumeration? These difficulties are insuperable, inexplicable, in the import in question which is given to the phrase.

But there is a further and very important view which explains the difficulty. The phrase "general welfare," it has been seen, does not borrow from the enumerating clauses. Does it lend to them? Do they depend on it, not it on them, for subsistence? Their purposes can in many respects find no execution till the appropriating clause comes in, to contribute its sinew to their exertion. From them it has nothing to require save permission to give them means of exercise and aid. How is this claim then, on the part of these dependent powers—the case of the fable of the stomach and members of the body—to find countenance, which insists on imposing silence on their auxiliary and master? The enumerated powers are to be fed from this appropriating clause. Their title to this nurture is unquestionable. But how derived? Through this controverted, reprobated, maltreated phrase, the "general welfare." The purposes of the enumerated powers are comprehended in this phrase and in this way only it is that they have claim on its offices, and draw their sustenance from its bosom. The objects of the enumerated powers are comprehended under this phrase "general welfare," varieties under a species, species under a genus. As parts of itself, this phrase feeds these objects—not the pelican tearing its maternal breast, but the human mother, whose circulation pervades the comprehended embryo and gives it vitality.

This phrase, then, comprehends and, as comprehending, supplies their requirements of expenditure. They are particulars under this genus, which has been planted where it is found in the Constitution for the purpose, by including, of being authorized to supply them. But does it follow by any necessary connection that these objects exhaust its faculty of directing the application of the revenues of the Government? Not at all. Suppose other objects of exactly the same character—particulars under this same genus, varying in no quality or respect; that is to say, like the enumerated objects, involving interest which touches the whole Union, and in the point and particular of the unity—shall not these, supposing, in the multifarious complication of human affairs and public exigencies, that such instances may have occurrence, shall these be denied a place with their homogeneous associates, excluded from their privilege of confraternity? Why one object of corporate, not common, welfare be excluded from the application of the corporate revenue, others in no respect distinguish-

able omitted and put aside? We have no authority to make application of money to internal improvement of character purely interior. Why? The interest of this form of these improvements is particular as respects the State in which it has location, is several as regards the States in a disjoined capacity. Why do all sane men now admit, after all the distractions of controversy on the subject, that money may be applied by the Government to the improvement of the Mississippi and Ohio rivers, running as these streams do to great depth in the interior? Because the adaptation of these rivers for commerce among the States, though their flow pervades only some States, makes their condition not an interest common to the States they pervade, but an interest of the political existence bearing the name of the United States, as unquestionably as the condition of the ocean of adaptation for commerce is a corporate interest of the United States—that is, a general interest. Here is an instance of an interest constituting an object of general welfare, yet no expression is found in the enumeration of the Constitution to comprehend this more than opening the harbors of ocean towns or planting light-houses on the coasts. If thousands of such objects could appear, provided they are found to fulfill with rigor, to the letter, this required character of attaching to the political "unity" the Government, why pass them over? It is for the general welfare we have constructed the system. Whatever does not belong in strictness to the category imported by this name, that we reject from the patronage of our function of expenditure. But if it does come into the category, and that fairly, on what ground postpone it to others whose claim to patronage is but the same identically, belonging to the same class? Childishness it were, surely, to take one thing as the legitimate subject of favor and discard the same thing precisely if not taking the same name.

Now, to make application of this reasoning to the subject in discussion. Money may be applied to the object if its claim to belong to generality, not community of interest, may be admitted. May this object, the acquisition of exterior territory, be in any case an interest of generality? Was this the description and character of the interest when Louisiana, when Florida, were acquired? Did the preservation of the Union in the preservation of the adhesion of the West form an interest of generality? Was the raising an effective barrier on the vulnerable frontier of the Gulf stream an interest of generality? Suppose Texas now, by compromise of the parties litigating for its possession, tendered to our purchase, would the extension of frontier, the composure of intestine agitation, form an interest of generality? If it would, where is the principle of the Constitution, any more than the dictate of sound understanding, which would exclude the power of purchase? Then there is a power in the Government to introduce foreign territory in the Union by purchase.

A third source there is of this introduction, which will presently be developed.

The reply is furnished, then, to the first of the inquiries before the committee, that exterior territory can be introduced into the Union in two modes, which have been indicated.

The second inquiry succeeds: By what department of the Government may the power be exerted? With which does it reside? Which is the authority which makes the acquisition when it has been the result of successful war, conquest? To Congress is given the discretion to declare war; but it is to this office, the declaration of war, that the function of Congress in relation to it is confined. Congress may

declare who is to conduct it? Not Congress in the least. Congress gives the authority, furnishes the means; but with the conduct Congress has no province of authority whatever. The progress of the war subjects the territory which may have been won and occupied. But occupation of this character gives no title to territory. It is to the termination of war, to the arrangements for peace, that title, should it be acquired, must be traced. Till peace and recognition by the losing party affixes the seal, title is in transitu; the case is that of possession as distinguished from title—a distinction the most important. The department, then, to which the province belongs to obliterate this distinction, to change the condition of the possession, discharge the final office of consummation, make the possession property, that is the department to which the acquisition and the power of acquisition is to be attributed. Territory is property; bargain is necessary to transfer. To pass there must be agreement of several parties—terms, arrangements, conditions. Well, when these, or any of them, have to be entered into, transacted with a foreign political authority, there is a department assigned by our Constitution. It is made up of the head of the executive and two-thirds of the Senate.

So, in the acquisition of territory by purchase the condition is the same. Purchase, a bargain, and terms—engagement for the arrangement of these with the foreign authority which is to make the concession of the property—all these indicate the jurisdiction to be appropriate to the department to which the function is assigned, and assigned exclusively, of entering into engagements with foreign authority.

The conclusion would seem, then, removed beyond the reach of controversy that territory exterior to the Union permitted to become a part of it can only find a lawful passage through the treaty power of the President and Senate. This department, in the reasoning which has been submitted, so far from setting up claim to an extension without limitation or evincing avarice of jurisdiction, is presented in the character of an auxiliary only to other powers, inert till one of these invokes its assistance. A further guaranty, too, is found for the innoxious character of this authority. And what is that? It is the representative in the Government of its conservative element, its Federal characteristic.

The cases which have been stated of the authorized admission of foreign territory have been those of conquest and purchase. Let the case be considered, however, of the voluntary cession of their territory by a people or government desiring incorporation with our political community. This case falls under a succeeding head of discussion, in which the inquiry as regards the admission mixes and becomes complicated with that of the admission of population.

May, then, a foreign population be introduced in mass into the political community of the Union? Is there a power to do this? Population, in the transfers of political subjection, follows, according to the usage of nations, the condition of the territory to which it is attached. The modes of transfer may vary. Conquest may dispose: Cession. Whatever the mode, however, the law applies, the population goes along and is embraced in the condition. If territory may be received, then so may population, its concomitant and adjunct. The committee find no room, therefore, for distinction as regards population or territory in reference to the question of the power of the Government to introduce them into the Union.

But the population following the condition of the territory must conform to the law of its introduction—can use no other avenue.

The territory, it has been seen, can find its admission only through the exercise of the power over compact. This, then, must be the mode of access of the population. Is the case that of voluntary submission of the population to us, not transfer by a superior employing his authority? The conclusion is not varied. The submission, as it will have its motive, so, too, it must have its terms and conditions, to realize the motive. Well, terms and conditions—these are the elements of compact. It is to the department in the Government, then, vested with the authority over this subject—the contraction of engagements—that population must be indebted for its admission. All views unite in the conclusion that foreign population, like exterior territory, can have passage into the Union only by the exercise of the treaty-making function in the Government; and that function is not in Congress. There is no contrivance to elude the resort nor reasoning which may impugn the conclusion.

Of the topics proposed for examination in the outset, a single one remains. Territory, it has been seen, has an avenue of entry to the Union, and with it foreign population; may the two in combination, in the character of a State, find admission? The power is claimed for Congress to effect this result. With no intermediary probation such as has been employed in regard to the Territories, giving time for adaptation to the new condition or evidence of its existence, the power is maintained to introduce to any extent population in a political capacity. The remark which first arises relates to the great gravity of the question raised by the assumption; any of gravity more imposing it would not be easy to state. It is in this conviction of its importance that the committee approach the discussion. In connection with it the joint resolution which has passed the House of Representatives for the admission of Texas by the exercise of the power in question is presented for consideration. The import of this measure is the recognition of Texas as a State, with no defined boundaries, with the requisition of a republican form of government, to be adopted in a prescribed form, and with the stipulation of very important conditions, on which the consummation of the arrangements is made to depend.

The committee owe to the dignity which this measure derives from its source, no less than to that of the general question, deference the most respectful. Any criticism which their duty of examination may render necessary will be construed, they are persuaded, into no departure from this profession of respect.

The mere aspect, then, it may be permitted to observe, of the resolution in question is of a character to startle and awaken doubt of its propriety and policy. A joint resolution of the two Houses of Congress! To what end? To make appropriation of a neighboring foreign political state. Under what circumstances? Of any request, or intimation in any form, on the part of the State appropriated of desire to be annexed? If any such have been made, any desire revealed in the only way in which governments are permitted to know the purposes of other governments, none have been disclosed through the sole channel which parliamentary bodies are permitted to recognize as authority for their official action.

The proposition assumed as the basis of the most solemn form of public action is that a neighboring state has ambition to become extinguished. Supposing the inference just in the present instance, that Texas, solicitous for the incorporation which is to annul her separate political existence, will show no sensibility to the disregard

so remarkable of the courtesy or forms of official respect, even in this supposition is no tribute of deference due to the reputation of our own Government? Have we no terms to keep, no observances to respect, as regards the appearance we have to present to other nations and their opinion of our proceedings? Is acquisition all, reputation nothing, in the conduct of the gravest affairs? We are in the practice daily of arraigning the habit, fast obtaining fixed root in the usage of nations (so prompt to become their law), of domiciliary intrusion of strong powers in the concerns of weak powers. Where are the people or government to be found who have been louder in arraignment of the prevalence of this practice than ourselves? Is no precaution due to the influence which our proceeding in the mode proposed to us may exert in laying a foundation for authority to plead our own example against us, to stifle the accents or remonstrance which we may have occasion but too often to raise? What reply will we have to employ or distinction to make in our own favor? Will ours have been, on the contrary, accompanied by room for such a distinction?

As far as the affair will stand out to the world, who are to know of no mitigating circumstances withheld from view? If there had been such, our act has been—dispensing with consultation even, not to speak of waiting for application—to assume an authority to annex our neighbor to us, dictate the conditions, and prescribe a time for their unqualified execution. Suppose the case of dissensions in a neighboring feeble state—let it be Texas, the State a prey of this last of afflictions—what would be the imputation in that case on the strong neighbor, supposing him not to instigate, yet availing himself of the debauching violence of such distractions, to accept the spoil of the country? How easily do such examples run into the worst extreme, and how important it is, therefore, that no countenance be given to public acts which may tend in any degree to their introduction.

The fact is but too notorious of the general prevalence at this moment of the lust of territorial aggrandizement among nations. The disease spreads everywhere. No island in the deep Antarctic so retired, no people so inoffensive, as not to be threatened with the visitation. Is not ours the duty, while we exclaim, not to give color to accusation against ourselves of the character of that we are so loud to charge? These remarks are deemed not inappropriate to the subject, in a view of the fact that Texas has given no intimation in any known form, certainly in no form which, according to the usages of nations, can give authority for a proceeding so anomalous as that of our Government, not proposing terms of incorporation, but assuming to set on foot the work of incorporation. Not the charge of irregular proceeding only, but of uncompromising pursuit of objects of aggrandizement, will be incited against the reputation of the country, and with no occasion for incurring them, as the opportunities are so obvious of proceeding in concert with Texas, if annexation be the real desire of the people in the two countries.

These observations have been made in view of the influence which the mere fact of the passage of the resolution adopted by the House of Representatives is calculated to exert should it terminate in no practical result. The resolution, in its substance and form, asserts the principle of power in Congress to give admission to a foreign state into the Union. In deciding on that question, therefore, decision will be rendered on the claim of the proposition to adoption.

The claim for Congress to admit a formed political state into the Union, in contradistinction from its elemental parts, population, and

territory, rests on a single line in the Constitution. How brief the phrase, how pregnant the import, if the widest of the interpretations claimed for it is to be adopted! To expand to unmeasured extent the dimension, to change, it may be, in extent still greater the character and the destiny of the Republic. That this expression, large as it is, is chargeable with no extravagance, if the true import of the phrase gives it the world for its operation, no candid person will contest.

In the first view of the entire generality of the expression, "new States may be admitted by Congress," a part of the committee had been led to the inference that the clause was of a character to refuse all restriction. Opposed to this inference from generality of expression was the inference, however, from the apparent enormity of pretension of a phrase so circumscribed in words, and inserted, it is to be remarked, in no important connection in the Constitution. How could a phrase in such circumstances have assigned to it an influence of such indefiniteness and magnitude? How was the exclamation of Mr. Jefferson to be met, that, with the limits of the United States defined by the treaty of independence, the Constitution declaring itself made for the United States, it was asked to infer authority to receive England, Ireland, Holland, and the world, etc.?

In this aspect of the phrase—double, as well as distorted—the committee have put themselves to inquire what the principles of interpretation are by which clauses in instruments, when breadth of construction of them suggests just cause for alarm, may be submitted to a process of alleviation and mitigation of a prima facie import. The fitness of the adoption of such a mitigating process can not be contested if it should be found sustained by the tests ordinarily employed in construction. Of these there are several of an undisputed authority admitting application to the present case. Generality of import may find restraint by reference to the fact of adequate matter being found for operation of the debated language independently of the revolting operation. This is the first and reasonable check on broad interpretation. The restraint which the leading object, or genius, of the instrument may be found to prescribe supplies another instance of the same character. The influence of the context—the clauses also demanding room for operation—gives a third just restraint. And no one has title to hold a higher tone of pretension in this respect than a fourth one—that of the consequences to flow from the construction. Instruments are valuable—are employed—rules of interpretation devised and applied to them only in a consideration of the effects they are expected to produce. If these effects are found in the exhibit of evil or peril, the principle which lies at the bottom of all institution, that "it is to be tried by its fruits," comes directly forward to assert a claim to control.

Let these several tests, then, be made the subject of application to the phrase in discussion. Excluded from an operation beyond the Union, did it have, at the time of insertion in the Constitution, or does it find now, matter on which to act sufficient to authorize the inference that other matter may not have been intended for it; that this would be of extent to satisfy it? There was a large mass of territory appurtenant to some of the larger States of the Union which an imperative national opinion destined to the formation of new States. Vermont, the Territory of Franklin, had already been the claimants to admission. The territory northwest of the Ohio, the unmeasured appendages of Georgia, presented a field almost indefinite for the operation of the clause—a range of surface in which the appetite of construction the most inordinate might be expected to sate itself. All these

together furnish a sphere of operation certainly too prolific to allow monsters of construction to be bred to supply food for operation. Such is the result of the first of the proposed tests. The history of the progress of the insertion of the clause in the Constitution, which has been consulted, does not supply evidence decisive on the point in question. The clause was the subject of frequent debate in the convention which framed the Constitution, of several modifications. The only circumstance in any degree pregnant is furnished by the fact that the subject does not appear to have been treated at any time in reference to any exterior operation of the clause. No allusion is made to this at all; much to the circumstances connected with its influence on our domestic territory. In regard to this, it was discussed in a variety of views and relations.

The clause is next to be examined in its relation to the leading controlling object, or what may be denominated the genius of the Constitution. The recall of this object to notice is important, in relation to more discussions than the present, as a consideration which should be permitted to escape in no constitutional discussion.

What, then, is the predominating principle of the Constitution which ought to be allowed to give the first law of construction in the discussions which relate to it? The answer is that this predominating character, this genius of the Constitution, is its federal quality, as distinguished from its national one, being, as is known, a compound of both these qualities. The States, when they proposed to combine before the Revolution; when they did combine to effect the Revolution; when, in 1787, they met for the essential office of reconstructing their political system—on all these occasions had a leading fixed purpose, however they might frame or decompose or recompose the structure. This purpose was to preserve it in conformity to the order of political architecture which they most admired, which they were resolved in all contingencies to observe and preserve. This order was not Doric—rude, nor Corinthian—aristocratic, but a style compounded with art the most profound, as in a peculiar manner adapted to the peculiar purposes they desired it to answer. This style, so endeared to their regards and of excellence so superior, is the Federal, the form of political structure under which, from their being so greatly diversified, the interests of our political community can alone find shelter, permanent and effective.

Than the spirit of this system of federation, from causes to which allusion would be out of place, there can be none more sensitive and jealous, as it ought to be. This was the spirit which predominated in the formation of the Constitution. States of very inconsiderable magnitude were determined to stand, and were permitted to stand, on the footing of an unconditional equality with the largest. That they should do so, though the most difficult arrangement of the Constitution to effect, was yet the eventual arrangement of the Constitution.

When questions of construction of the Constitution are presented for decision, it is not compromise of this character, or the spirit of jealousy from which it sprung, which is to be neglected or allowed a slight consideration. The protection not only of a federal organization, the peculiarity of the influence of a federal temper in adjusting the arrangements of the Constitution, are to be regarded. All just construction must have this peculiarity constantly in its eye. The framers could never contemplate arrangement the influence of which might tend to disturbance or impairment of the nice adjustment of compromise which had been wrung with difficulty, as required not

more to protect inferior strength than to soothe a temperament of irritable jealousy. Can anything be regarded as more at war with such a temper of compromise as this than an arrangement under which additions might be made, without limit to the number, and with no rule as regarded dimension, to the members of the Confederacy? Is it to be conceived that the influence of such an arrangement, if perceived, was going to be allowed a place in the Constitution? Can the principle of interpretation be sound which infers that, after warring for a barrier against Virginia and New York, the smaller and victorious States were consenting to a plan by which the action of the ordinary legislature—a majority of one of a quorum in each house—should have a privilege unrestricted to let in England, Ireland, Holland, etc., in the phrase of Mr. Jefferson; or Texas, of dimensions equal to six of the largest States; Canada, equal (in its whole extent) to as many; or Brazil and Buenos Ayres, defying enumeration as to their equivalents? Let it be remembered, too, States were not to be susceptible of division by the arrangement, except with their own consent. This consent was not to be inferred of States to be introduced from abroad—that they would submit to dismemberment as the price of introduction. Then, if the introduction was looked to, it must have been with the dimension of these new States unbroken. Are we to suppose that Delaware and Rhode Island contemplated the insertion of a clause in the Constitution of this extravagance of import and influence, and no voice raised of deprecation or expostulation—that these States consented "to die and give no sign?" Had they, in their delegation to the convention employed on the Constitution, no one read in history who could tell them of destruction brought on the only federation which had resembled their own, the Achaian League, by the operation of this same cause, the permission to let in new members without limitation of their potency? In that sage assembly of the framers of the Constitution, were there none who were endued with sagacity to foresee the fate of the only sound arrangement by league for the freedom of Greece, if Macedons might be brought into the bosom of our Confederacy? The difficulties of such concessions exclude the idea that import of this character was ever designed for the clause authorizing the admission of new States in the Constitution.

Then another, and the most overruling of the prescribed tests, rejects the generality of import claimed for the clause under discussion. Next comes the test by the context of the instrument: Is there another clause with whose admitted sphere the operation claimed for the clause in question must come into conflict? The Constitution gives to the President and two-thirds of the Senate the undisputed, exclusive authority to make all the engagements which may be made with foreign States. It gives to Congress the power to admit new States into the Union. It is said that this expression extends to foreign states—is wide enough to cover their introduction. Be it so. Let this be the imputed extension of this last clause. A foreign state! With what circumstances must it come in? Is not the agreement to come in an engagement between this foreign state and the Government of the United States? Can the foreign state get in, not without, but in any other manner than in virtue of this engagement? Must not the contract of admission (there must be a contract) state the conditions of the admission? The foreign state would not come in till it had stipulations for a participation of an equality of condition. The United States ought to require conditions on their part; as, for example, that Brazil, coming in and covering a large part of the largest continent

of the globe, should submit, as a condition, to subdivision. But if no condition of entry, but a line as short as that which conveys the contested clause in the Constitution, were employed—"the foreign state is hereby admitted"—yet an engagement is expressed. The act of coming in is itself an arrangement; that is to say, an engagement made by the foreign state with the United States.

But Congress, which might admit, let it be the foreign state, if it had the control of the only mode and organ of admission, under the Constitution, stands impeded by the want of this organ. That is to say, it is required to go to the department to which has been allotted this organ, and to ask its aid in the discharge of the office of admission. This department, so applied to (supposing it to partake the wish for the introduction of the foreign state), would have to answer to the application, we partake your desire. We wish to subserve this desire in our office. But we, in this our office, have been invested with no authority to make compact for the introduction into the Union of a political organized power or state. We have an authority only to introduce—to get possession of foreign territory; which may, in that condition, subordinate to the condition of a State, bring its population along with it into subjection to our Government, whose fixed rule of policy it is to elevate population introduced to equality of condition with the general population, as soon as maturity or other circumstances of adaptation may permit. In this way your object may be effected, and in this way only. The population desiring introduction must resolve itself into its elementary state—be a population and territory—but with no permanent form of political organization. Then the population can come in, and with the signal advantage to the Union that, by probationary connection with us, the adaptation of the population may be ascertained or formed for the intimate relation of a perfect union.

What is the reply which the power to admit States ought to have for this frankness of explanation on the part of the compact-making department of the Government? Ought it not to be acknowledgment no less frank of the impediment to the gratification of its desire and respectful deference to the title of exclusive jurisdiction over the subject?

And here the answer is furnished to those who inquire, What! If the majority of the people of the United States desire the incorporation of Texas and the people of Texas desire it, is the object not in these circumstances to be effected? The first part of the reply is that this is not, as you suppose, an affair, so far as concerns the United States, of the people of the United States only. It concerns in a still greater degree the States—political bodies which compose and make up the corporation of the United States. Into this compact of incorporation they have entered on conditions which, whether advisable or not, are now to be respected. One of these conditions is that, for certain sufficient reasons to them appearing, there was a stipulation that in all the affairs of the common Government which related to contracts of engagement with foreign powers they, the States composing the Confederacy, should have control—powers at that time sovereign as the greatest, though not in strength, yet in independence, in the amplitude of a full equality, the compeers of the proudest. This stipulation, thus asserted, claiming for its authority the clear letter of the Constitution, shall it be resisted, overthrown, when it can not be denied?

But the second part of the answer to the inquiry stated—can Texas

in no circumstances of a common consent be admitted into the Union—what is it? Yes; Texas may be admitted. But what the condition after the consent of her own people? The consent of our people? No; that is not enough. This of ours is not a mere nation. There is no understanding patriot who will not exclaim, God forbid it should be so regarded! A nation to all purposes exterior, having that front and character with all its fitting appendages and pretentions, in our relations at home we are not a nation, but a Confederacy under conditions of what were several nations till they derogated from this character by their submission to these conditions. Suppose the case of a confederacy of States like ours without a written law of union stipulating conditions—a mere agreement not to be inimical in peace, to stand together in war. If another State indulged desire to be admitted into this union, what would be the law of admission to which it must appeal? The consent of every member to the introduction of a new member. Is not that the law of all partnerships, received among all men in all conditions of existence? But subsequently to getting into partnership, or as one of the conditions of engaging in it, modification of this law may be introduced. The individuals or the States forming copartnery may say, though our right would be to stand on it, yet for a purpose of convenience or in deference to the wish of our copartners, we agree to bend this law.

We agree that not the whole, but a majority or a concurrence of two-thirds of the copartners shall give the rule of admission to our fraternity. In our Constitution this last is the rule which has been adopted. Shall it want observance? If so, where the safeguard for anything in the Constitution? What the obligation on any part in any provision to its observance? If a mere majority of the people become, or becoming, as much the "tyrant's plea" necessity; if no resort be required but the allegation of this majority (which, as it may be true, so may it also be manufactured) for the adoption of public measures is to be required, however they may address the diversities of interest or of sensibility in the country, then, indeed, in the phrase of Mr. Jefferson, "We have no Constitution—a paper, but a blank one." Or, rather, in such a case we have a Constitution, but it is an instrument, not to guide or to guard us, but to smother from exposure the outrages which in every popular government party will be found to perpetuate in the abused name of the majority of the people.

Nothing, then, can be more clear than that a foreign state in its character of political organization as a state, if an engagement, terms, conditions be requisite to the admission, can find no lawful passage of admission through the power of Congress; that the jurisdiction on the subject, as far as there is any jurisdiction, is an undoubted appurtenance of the treaty-making power vested in the President and two-thirds of the Senate; that the only mode of effectuation of the admission of Texas lawfully, supposing this to be an event desirable and desired, is by the resolution of the present State of Texas into its component elements of population and territory, which may in those forms pass through the ordeal sieve of the treaty-making power in the President and Senate.

By this process it is clear, also, that the object may be attained, and for the reason that the treaty-making power will be exerting its office in aid of a power (to "admit new States") expressed in the Constitution, that forming the condition and law of the exertion of this power under the Constitution.

Better evidence can not be found of the justness of this reasoning

than in the character of several of the measures which have been submitted to Congress in its two branches on the subject of the admission. Two of these actually adopted in terms the treaty which had been rejected last year for the annexation of Texas by the Senate and proposed this same unaltered or unqualified form for adoption as a joint resolution or act of Congress; that is to say, with no denial of a treaty-making department in the Government, an act which, coming, it is not disputed, regularly under its operation, has been made defunct by its legitimate action, may be brought to the jurisdiction of another department, which it is not pretended is invested with any portion of the function, and animated into life, and the full activity which a contrary determination of the treaty-making department would have been of force to infuse into. What is the name to be given to constitutional doctrine like this? And it is found, too, in the category of strict construction of the Constitution. If this be a just specimen of strict, the inquiry must follow by an uncontrollable impulse of curiosity, What, then, is loose construction of the instrument?

That the reasoning above stated applies to the joint resolution which has passed the House for the annexation requires, to verify it, the single remark that this resolution not only contains conditions, but is all nothing else but a condition with Texas on which the consummation of the act is made to depend.

In this connection of the conditions stipulated by the resolution there is one to which, as regards both its form and place, the attention of the Senate is earnestly invited. The resolution in its closing part has a condition not that new States must, but that they may, be formed; that is (after the admission of the new State), "new States may hereafter, by the consent of said State, be formed out of the territory thereof, which shall be entitled to admission under the provisions of the Federal Constitution." New States may hereafter be made, and by consent of the present new State.

This is the guaranty, and the extent of guaranty, provided by the resolution against a contingency which might in its occurrence, and not improbably would, pervert the entire condition in regard to its necessary counterpoises of the Confederacy. Would New York, the name of the Empire State not inappropriately applied, in a view of the greater safety of our system, from the greater equality of the members, give consent to divest herself of a portion of her importance by division? Why should we submit ourselves to this great peril in regard to Texas, susceptible of a division into compartments equal to six considerable States of the Union? Why not let the consent on this point be peremptory, not permissive, and antecede, not succeed, the process of introduction of Texas? Is the reason that that would present the case palpable of the exercise of the inhibited power of compact by Congress? There are other considerations of much moment, and that more especially of the distribution proposed by the resolution to be made of the country between a slaveholding and a free population. This last question is of a magnitude too great to be attempted in the present report, there being considerations not connected sufficient for the passage of a judgment in this case.

The clause of the Constitution permitting the admission of new States by Congress has now been brought to trial, by all the imposed tests of the extent asserted for it, save that of the consequences of this enlarged operation. Let these be now looked at. The power in the extent claimed is limited only by discretion. What discretion?

Whose? Of contending parties and of "shifting" and, it may be, lean majorities in the two Houses of Congress. No zealot will refuse to admit that, in those circumstances, admission of States may come to occur from considerations not really looking to the ascertained and unquestionable interests of the country. If influence other than the purest may obtain in the councils of popular government, why should this case of the admission of new States be put out of the pale of this contingency? Are the inducements which may operate, illicit in their character, of interest or of passion, of less probable occurrence in relation to this than many other subjects which may engage the action of Congress? Is there not, indeed, peculiar room for the access of excitement, as we are at this moment giving proof? Must not the question of the reception of a foreign state be of a magnitude at all times, in all circumstances, to set afloat a sea of passions tempestuous and interests conflicting, of force to disturb always the composure of the administration of our Government—it may be, in after times, to wreck it? And corruption, too! When the freedom of Rome was first extended to the Italian cities, this was done through the arts of popularity, to gather favor and votes for elections. The peace of the elections in Rome and domestic tranquillity became the wreck. But presently the provinces exterior to Italy became the candidates for the boon. And what was the fruit then? The applicants came with the materials to gratify cupidity as well as ambition. The question of the admission of a province to the participation of Roman privileges shook the Senate. The cause was presently disclosed. The province was beggared by the application. Money bribes! these had become the principle of application and source of the agitation.

These are not times, it may be said, for corruption; nor can our country be the scene. Be it so. But times change their character. Incitements, largely or frequently addressed, work change of moral character on the pure. Are places in our Union never to be the objects of ambition to foreign states, if admission may be at any time the boon of a party, the easy achievement of legislative majorities who may want to add to their power, or signalize their power, or illustrate the fleeting fortune of a passing Administration by a trophy of distinction?

And if allurement is sufficiently probable, under easy admission of new states, where is to be the limit to the exercise of this prerogative? Will not every country calling itself republican exhibit title not to be made the subject of question? If Texas have title to admission because as free already as ourselves, will not the states which are less free, or those who, deprived of freedom, desire it, have still greater claim? What community in which there are dissidents to the existing authorities but can have a case to make, and to find favor, as has been seen recently in one of our own communities?

The dissolution of all government, which in the time of Danton and Marat and Robespierre called itself a republic, in France, would have title fair to admission. The anarchies which in the Spanish-American provinces usurp the name of governments, and even of republics—what bar could be opposed to their admission? Humanity would invoke this, if not policy. Then Canada, on our immediate frontier, this unhappy country, has been long the prey of a Government so oppressive that it does not permit the people to pay the expenses. This country will be wanted, too, directly after the admission of Texas, to restore the deranged adjustment of the balance between the conflicting interests of the country. Then Ireland, the absorbent for so

long a period of all political sympathies, hers would be the claim to stand the first, unless the transfer of her population here without her territory is to be preferred. The amount of the inference from the largeness claimed for the power to admit new states, and the want of all guards on it in the exercise by Congress, is not that it will, but, under that character of its construction, may realize the conditions of abuse which have been stated hypothetically, and let loose again the schemes of a demented temper of sympathy and fraternization in the affairs of other nations, like that with which the outbreak of the first revolution in France harassed the world.

On the direct question in issue, the power of Congress to admit Texas as a State, perhaps a single remark ought to be considered as conclusive of the controversy. The advocates of the power to admit as a State are understood not to claim for Congress the power to admit the country in the inferior subordinate condition of a Territory; that is to say, the power arrogated for Congress is to accomplish the major, with an admission of its incompetency as to the minor included object. The statement of this proposition leaves no further room for sophistry.

One only, and that a brief consideration, remains to be adverted to, to terminate the office of the committee. The prerogative power arrogated for Congress must prove in its exertion a plain intrusion on one of the very highest and most conservative of the functions which have been confided by the Constitution to the guardianship of the Senate. To the committee does not belong the office of provoking attention or instigating duty. With the Senate, they are well aware, this would be both impertinent and superfluous. They only advance so far as to put (which they regard their duty) the consideration before the Senate, and then retire, as becomes the place which has been assigned them.

In conclusion, the committee have only to add that, aware of the tangled character of the ground they would have to tread, their path has been chosen with care and trodden with caution, keeping in their eye, as a beacon and guiding light, the hallowed expression of morality and patriotism which it was their fortune to encounter in one of the letters of the Father of his Country to an assembly of his fellow-citizens:

> Without a predilection for my own judgment, I have weighed with attention every argument which has at any time been brought into view. But the Constitution is the guide which I never can abandon. It has assigned to the President the power of making treaties, with the advice and consent of the Senate. It was doubtless supposed that these two branches would combine, without passion and with the best means of information, those facts and principles on which the success of our foreign relations will always depend; that they ought not to substitute for their own convictions the opinions of others, or to seek truth through any channel but that of a temperate and well-informed investigation.

The committee having thus presented to the Senate the views which they entertain on the several questions arising from the references made to them in relation to the constitutional power of Congress over the subject, it remains only to submit the following resolutions:

Resolved, That the joint resolution from the House of Representatives for the annexation of Texas to the United States be rejected.

Resolved, That the several bills and joint resolutions originating in the Senate, the resolutions of sundry State legislatures, and the petitions and memorials of many citizens of the United States, for and against the annexation of Texas to this Union, which have been referred to this committee, do lie upon the table.

TWENTY-NINTH CONGRESS, SECOND SESSION.

January 29, 1847.

[Senate Report No. 100.]

Mr. Sevier made the following report:

The Committee on Foreign Relations, to whom was referred the bill "creating the office of Assistant Secretary of State, and for other purposes," report it without amendment, with a recommendation that said bill do pass, and adopt the report in favor of the passage of this bill which was made in the House of Representatives on the 6th of April, 1846.

[In the House of Representatives, April 6, 1846.]

Mr. Rathbun, from the Committee on the Judiciary, made the following report:

The committee submit the papers hereunto annexed as their report in this case, accompanying the bill:

DEPARTMENT OF STATE,
Washington, March 16, 1846.

SIR: The note addressed by you to the Department, under date of the 18th December last, presenting certain inquiries in regard to its organization, was duly received, and would have been immediately answered had it not been for other important and more pressing engagements.

Answers to your inquiries will be found in my report (marked A) and the accompanying documents (marked B, C, D), which I have now the honor to communicate. Should you or any other member of the committee desire further explanations, it will afford me great pleasure to make them personally at the Department.

Yours, very respectfully,

JAMES BUCHANAN.

Hon. GEORGE RATHBUN,
Chairman Committee on the Judiciary, House of Representatives.

[List of papers transmitted.]

A. Report.
B. Number of clerks employed in the Department of State and their duties.
C. Force in the British "foreign office" and the Department of State, respectively.
D. Present force of the Department of State compared with the force deemed necessary twenty-eight years ago.

A.—REPORT.

DEPARTMENT OF STATE,
Washington, March 16, 1846.

A year has now elapsed since the present Secretary took charge of this Department, and the conviction has been forced upon him that in the diplomatic and consular branches it is wholly inadequate to perform the duties which it owes to the country. That it is so will be made manifest by a simple statement of facts.

Independently of the chief clerk there are five clerks employed in conducting our diplomatic correspondence with the whole world.

To one of these is assigned all the diplomatic correspondence with the nations on the continent of America, and all business incident thereto, such as answering letters from individuals, replying to inquiries from committees, and collecting and arranging the materials for responding to calls from Congress; to another all that with Great Britain, France, Russia, the Netherlands, and China, and to the third that with all the remaining nations of the world. The two latter are assisted each by a copying clerk, who has also other duties to perform, at the salaries of $900 and $800 per annum.

This is the whole machinery employed to conduct the business arising out of our foreign relations with all the powers of the earth.

It is true that there is a translator and an accountant attached to the Department, but the special nature of their duties is sufficiently indicated by their names.

The consular section of the Department is, if possible, still more inadequate The number of our consuls is already 170, and the number of clerks for the discharge of the duties of this branch is 2. The one has charge of the correspondence with and relating to our consulates on the American continent and some of the islands, the other with those in Europe and the remainder of the globe.

The force employed in the "office of foreign affairs," as it stood in 1789, when our present form of government went into operation, consisted of five persons, to wit: The "secretary for foreign affairs," the "under secretary," two "clerks," and an "interpreter." At this day, when our population has swelled from less than 4,000,000 to 20,000,000 and its intercourse with foreign countries and our relations with their governments have more than proportionably expanded, the force to conduct the diplomatic and foreign business of the nation consists of ten persons, two of whom are copying clerks.

The interests of the country require that this Department should be far more efficient than it is. Much more business ought to be transacted; and that which can be accomplished ought to be dispatched both more expeditiously and upon fuller consideration.

Of the persons belonging to the Department not one, except its head, has authority to sign a single paper or to decide upon any question, however trivial. And here it is proper to observe that a mass of miscellaneous business has devolved upon it, most of which has no natural connection with its appropriate duties. The present number of clerks employed upon this business is sufficient, but all of it, in its minutest details, must undergo the personal supervision of the Secretary, and every paper in relation to it must receive his signature.

The consequences of this accumulation of business upon the head of the Department must be manifest to everyone. He must either neglect great national interests or the subordinate but pressing business involving the rights of individuals. Almost every day brings with it a struggle between the conflicting claims of subjects, all of which are entitled to attention, whilst it is impossible that all should receive it. Much business is thus postponed, and even a portion of the small force already in the Department is often without full employment, because it can not act without instructions, and there is but one head from which these can proceed.

It is a paramount duty of the Secretary of State to make himself master of the subsisting relations of all foreign nations of the United States and with each other, at least so far as these may bear upon the interests of this country. The performance of this duty requires time for reading and reflection. No person acquainted with the present Secretary will doubt his industry, and yet he can truly affirm that since he came into the Department he has not found time even for a careful or regular perusal of the leading foreign journals, much less for that of those other publications with which his duties require that he should be acquainted.

It is beyond all question that each of our diplomatic agents should hear from the Department at least once in each month on the general policy and views of the Government as these may be affected by passing events; but this is now impossible. For a long period of time not a dispatch to our ministers abroad has ever been written except upon business of a pressing character.

Defective as is our present consular system, a mass of information might be acquired through its agency which would be of great importance to the navigating, commercial, agricultural, and manufacturing interests of the country. Even now much of such information is obtained, but it is rendered comparatively useless for want of persons to digest, arrange, and publish it for the use of Congress and the people. Besides, an active correspondence with our consuls would be the means of eliciting from them much valuable political intelligence.

It is desired by the committee that the Secretary should suggest a plan to render the Department adequate to perform its duties. This can be done in a few words.

Let the chief clerk be converted into an assistant secretary, to be appointed by the President, by and with the advice and consent of the Senate, authorized by law, under the general supervision of the Secretary, to transact all the business of the Department except that which is of a purely diplomatic character. The salary of this officer the Secretary would propose to fix at $3,000.

Relieve the Secretary from the judicial and other business connected with the Patent Office—all of which is transacted by himself, without the agency of any clerk—by transferring it to the Attorney-General, to whom it would appropriately belong.

Let provision be made for the employment of three additional clerks in the dip-

lomatic branch. These clerks ought to be men of intellect and information, competent to prepare a dispatch upon any subject arising in the ordinary course of business, and involving only principles which have been clearly settled by the action of our Government. Their first duty would be to devote themselves to a careful perusal and study of all the correspondence from the beginning, between this Government and the foreign governments with which their duties may be connected, so that they might be able always, without delay, to furnish to the head of the Department any information or documents which he may require. They ought to be qualified to examine the facts and the principles involved in the private claims of citizens of the United States upon foreign governments, on which the agency of the Department is so often invoked. No claim ought ever to be presented to a foreign government in the name of the nation until it shall have undergone a careful scrutiny and the Department shall have ascertained that it presents at least a clear prima facie case of justice. This is due alike to our national character and to the cause of justice. For the want of an adequate force to make such examinations it has been too often the practice to transmit these private claims to our legations abroad without due consideration, to be there advocated and urged. The tendency of this practice has been to perplex and embarrass our diplomatic agents; to involve them in useless and irritating controversies with those to whom they are accredited; to excite prejudice and ill feeling against our citizens, and to endanger the character of our country for fair dealing with the nations of the world.

It is believed that persons at all competent to the discharge of these important duties could not be procured for a less salary than $2,000. Individuals of such a character could not be induced to abandon private pursuits in which they may be engaged for a smaller compensation.

If these three additional clerks were provided, then the diplomatic branch of the Department would employ but six clerks, independently of the two copying clerks, and with the services of one of these the Department might probably dispense.

In the consular branch 2 additional clerks at least are required; the one at a salary of $2,000, and the other at $1,400. This would make the whole number of consular clerks four. The duties of the first clerk would require high qualifications, because to him would be assigned, in addition to his other duties, the task of digesting, arranging, and preparing for the use of Congress and the people all the information procured from our consuls affecting our great commercial, agricultural, and manufacturing interests.

Should Congress deem it proper to add these five clerks to the force of the Department and convert the chief clerk into an assistant secretary, the increased expenditure would amount to $9,400 per annum. From this may be deducted the salary of one of the present clerks at $800, which would reduce the sum to $8,600. It might be still further diminished by requiring a small fee to be paid for passports, which are now prepared and delivered without any charge. But after making these deductions, the increased expense could not be estimated at less than $7,500 per annum. It will be for the wisdom of the committee and of Congress to determine whether the reforms contemplated will be worth this additional expenditure. In one opinion the Secretary is very clear, and this is that any change would be of but little avail which, in either the diplomatic or the consular branch, should stop short of the additions here recommended.

Should Congress fail to be satisfied of the necessity of making these changes, permit the Secretary to express the earnest hope that the office of chief clerk may be changed into that of an assistant secretary, as suggested. This will relieve the Secretary from a mass of business in detail, much of it having no relation to our foreign affairs, and enable him to devote the time thus saved to the important interests of the country.

Although it is not proposed to institute a detailed comparison between this Department and the foreign department of other governments in regard to the duties discharged by them and the force assigned to them, respectively, still it may be worth the while of the committee to bestow a glance upon the lists of officers employed in the foreign office of Great Britain and in this Department. They will be found in the paper marked C. In another, marked D, is exhibited the present force of the Department as compared with that which Congress deemed it necessary to employ twenty-eight years ago.

All which is respectfully submitted by

JAMES BUCHANAN.

Hon. GEORGE RATHBUN,
Chairman Committee on the Judiciary, H. R.

B.—Number of Clerks Employed in the Department of State, and their Duties.

I. NUMBER OF CLERKS.

The whole number of clerks employed in the Department is 14.

II. DUTIES OF THE CLERKS.

1. The chief clerk.—Is the assistant of the Secretary in regard to the business of the Department generally, and when he is absent at Cabinet meetings or engaged in conferences at the Department represents him by receiving persons having business with it. He receives the mails, opens and peruses dispatches and other communications as they come in, and refers them to the appropriate clerks; revises drafts of papers prepared by them, and all papers prepared for the Secretary's signature; drafts letters or gives directions in regard thereto, and generally in regard to all points arising in the course of the business of the Department, and to all matters requiring its action, so far as the nature of the subject admits of this being done without bringing it in the first instance before the Secretary, to whose consideration every matter must be brought before it can be disposed of—he being the only person authorized to act upon any subject or to determine upon any matter calling for a determination.

2. Diplomatic branch.—Number of clerks employed, 5. This branch has charge of all correspondence between the Department and the ministers and other diplomatic agents of the United States abroad, and those of foreign powers accredited to this Government.

In it all diplomatic instructions sent from the Department and communications to commissioners under treaties of boundary, etc., are prepared, copied, and recorded; and all of like character received are registered and filed, their contents being first entered in an analytic table or index. Letters of credence, full and special powers, communications to foreign sovereigns and states of congratulation, condolence, etc., copies of treaties for exchange and for publication, certificates of the exchange of ratifications, reports in answer to Congressional calls for correspondence, etc., proclamations, synopses, general and particular, are made out and recorded or kept; and answers are prepared to inquiries and other applications from committees, members of Congress, and private individuals regarding claims, complaints, and all matters of a diplomatic character.

3. Consular branch.—Number of clerks employed, 2. This branch has charge of the correspondence, etc., between the Department and the consuls and commercial agents of the United States. In it instructions to those officers and answers to their dispatches and to letters from other persons asking for consular agency or relating to consular affairs are prepared and recorded; registers are kept, in which the substance of all communications to the Department relating to this branch of the business is entered, with notes of the disposition made of them; an index is kept for each consulate, in which the purport of every communication relating to it, written, or received, is entered; a register is kept of the consular fees, and the dispatches of the consuls and commercial agents are filed and preserved.

4. Miscellaneous.—Number of clerks employed, 6.

1. The disbursing agent: He has charge of all correspondence and other matters connected with accounts relating to any fund with the disbursement of which the Department is charged; purchases all articles required for the use of the Department, and prepares the contracts under which they are furnished; disburses the appropriations for its contingent expenses, including those for the printing and distribution of the laws, and of other publications in regard to which this duty is assigned to the Department; those for the compensation of its officers, for the contingent expenses of missions abroad and of foreign intercourse; for expenses of consulates in the Turkish dominions. Prepares and records all requisitions of the Department on the Treasury; examines and presents for the decision of the Secretary of State abstracts of accounts for diplomatic contingent expenses, submitted by the Auditor; prepares letters of credit on the bankers of the United States; sees that they are provided with funds to meet the drafts on them; prepares estimates for all appropriations required by the Department of State, furnishing explanations in reference to them, and to all matters connected with this branch of duties, whenever called for.

2. The translator: His duties are to furnish such translations as the Department may require. He also records the commissions of consuls and vice-consuls, when not in English, upon which exequaturs are issued.

3. Clerk of appointments and commissions: He makes out and records commissions, letters of appointment, and nominations to the Senate; makes out and records

exequaturs, and records, when in English, the commissions on which they are issued. Furnishes statements, for the use of the other departments, of the appointments, resignations, deaths, etc., of officers whose commissions and letters of appointment issue from this Department; keeps a list of the names and titles of office of all such officers (diplomatic and consular excepted), of the dates of their appointments, and of the expiration of them; registers and files papers of recommendation for office and letters relating to appointments; prepares letters, statements, and reports relating to this branch of business. Has charge of the library.

4. Clerk of the rolls and archives: He takes charge of the rolls, or enrolled acts and resolutions of Congress, as they are received at the Department from the President; prepares the authenticated copies thereof which are called for; prepares for and superintends their publication, and that of treaties, in the newspapers and in book form; attends to their distribution throughout the United States, and that of all documents and publications in regard to which this duty is assigned to the Department, writing and answering all letters connected therewith. Has charge of all Indian treaties and business relating thereto; has charge of the archives, including the "Washington papers," and comprehending the records of commissions which have sat under treaties, claim papers, etc.: makes the examinations which are often called for; reports the result; prepares answers to inquiries respecting these subjects.

5. Clerk of authentications and copyrights: He has charge of the seals of the United States and of the Department, and prepares and attaches certificates to papers presented for authentication; receives and accounts for the fees. Has charge of publications transmitted to the Department under the laws relating to copyrights; records and indexes their titles; records all letters from the Department, other than the diplomatic and consular; records the reports made by the Department to the President and to Congress, and keeps a miscellaneous record book. Has charge of the returns of passengers and seamen received from the various custom-houses. Prepares letters relating to these subjects.

6. Clerk of pardons and passports: He prepares and records pardons and remissions, and registers and files the petitions and papers on which they are founded. Makes out and records passports; keeps a daily register of all letters, other than diplomatic and consular, received and of the disposition made of them; prepares letters relating to this business.

Besides the special duties assigned to them, the clerks generally are called upon when their services are required in copying and collating.

C.—FORCE IN THE BRITISH FOREIGN OFFICE AND IN THE DEPARTMENT OF STATE OF THE UNITED STATES, RESPECTIVELY.

I. FORCE EMPLOYED IN THE BRITISH FOREIGN OFFICE.

[Taken from the Royal Calendar for 1845.]

Thirty-nine persons, to wit: One principal secretary of state; 2 under secretaries; 1 chief clerk, with 2 clerks attached to his department; 6 senior clerks; 21 clerks; 1 librarian and keeper of the papers; 1 sublibrarian, and 2 clerks attached to the librarian's department; 1 translator; 1 precis writer.

II. FORCE EMPLOYED IN THE DEPARTMENT OF STATE OF THE UNITED STATES.

Fifteen persons, to wit: One Secretary of State; 1 chief clerk; 12 clerks; 1 translator and librarian.

Remarks.—The number of persons employed in the British foreign office is 39. The duties of this office, as stated in the Imperial Calendar, consist exclusively in conducting all correspondence with British ministers and consuls abroad and foreign ministers in England relating to negotiations, treaties, etc., on political and commercial matters.

In the Department of State of the United States the persons by whom is conducted that branch of the business which corresponds with the duties of the British foreign office are 10 in number.

This includes the Secretary of State and the chief clerk, whose attention, so far from being devoted exclusively to this branch of duties, is incessantly diverted from it, and this by causes which not only occupy much of their time, but subject them at all moments to interruptions, which, however important and urgent may be the public business that they are engaged upon, could be avoided only by constantly subjecting to delay and to serious inconvenience individuals whose business might, under a proper organization of the Department, be dispatched without presenting any such alternative.

[See pp. 107, 221.]

THIRTY-FIRST CONGRESS, SECOND SESSION.

February 5, 1851.

[Senate Report No. 270.]

Mr. Foote, from the Committee on Foreign Relations, to whom were referred the memorial of the American Peace Society and numerous other memorials and petitions praying the adoption of measures for the amicable adjustment of international controversies, reported the following resolution:

Whereas appeals to the sword for the determination of national controversies are always productive of immense evils; and whereas the spirit and enterprises of the age, but more especially the genius of our own Government, the habits of our people, and the highest permanent prosperity of our Republic, as well as the claims of humanity, the dictates of enlightened reason, and the precepts of our holy religion, all require the adoption of every feasible measure consistent with the national honor and the security of our rights to prevent, as far as possible, the recurrence of war hereafter: Therefore,

Resolved, That in the judgment of this body it would be proper and desirable for the Government of these United States, wherever practicable, to secure in its treaties with other nations a provision for referring to the decision of umpires all future misunderstandings that can not be satisfactorily adjusted by amicable negotiation, in the first instance, before a resort to hostilities shall be had.

THIRTY-SECOND CONGRESS, SECOND SESSION.

February 17, 1853.

[Senate Report No. 418.]

Mr. Underwood made the following report:

The Committee on Foreign Relations, to whom were referred numerous petitions praying for the adoption of such measures as may secure to our citizens resident in foreign countries the right freely and openly to worship God according to the dictates of their own consciences, report:

That, in regard to the worship which men owe their Creator, there are two antagonistic principles prevailing to a greater or less extent in the different parts of the world, and which have a powerful influence on human conduct. The one principle is that the duties of religion or the worship of God is a personal matter, of which each individual has a right to judge and decide for himself. This principle allows the utmost latitude and freedom of conscience. The other subjects the duties of religion and the worship which man owes the Creator to the control of the political power of the State, and allows that power, through ecclesiastical bodies, to prescribe forms and creeds, and inflicts punishment for nonconformity. In other words, the latter principle unites church and state, and gives the Government authority to exercise influence, if not positive control, in forming the religious creeds of the people by preferring one religion to another, and supporting by taxation preferred religious establishments.

The constitutions adopted by the people of the United States, both

State and national, guarantee to each citizen freedom of worship according to the dictates of his conscience. No one is compelled by law to subscribe to any particular creed, or to observe any particular form of worship, or to give any church preference over another contrary to the convictions of his own reason and judgment. In these respects the citizen is absolutely free to act in conformity to his own convictions. He is not bound to give a preference to the religious teacher of this or that creed. He may hear all, and then form his own faith for himself. The Government does not dictate. This system of religious freedom and toleration is fundamental with us. We extend it to the people of all nations coming among us. The object of the memorialist is to secure to our citizens going to other countries the same liberty of conscience and of open worship which is allowed them at home. Accustomed, as they are, to unlimited religious liberty, and taught from childhood to tolerate in others what they claim for themselves, it is very manifest that the restraints and obstacles interposed to prevent the open worship of God according to the dictates of their own consciences when abroad are regarded by them as unjust and oppressive.

If the privilege of free and open worship should be conceded to American citizens residing in foreign countries, and it should be the pleasure of the legislative or imperial power of any republic or kingdom which favors a church established by law to prevent their citizens from uniting with ours in public assemblies for the purpose of worship (and thus witnessing our religious ceremonies and hearing our doctrines), they will doubtless be able to accomplish their purposes in this respect by an exercise of the same power which enabled them to establish a particular church. When Jesus Christ said to the Apostles, "All power is given unto me in heaven and in earth. Go ye, therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost; teaching them to observe all things whatsoever I have commanded you;" and also, "Go ye into all the world and preach the gospel to every creature," the necessary inference seems to be that it was His design that every creature should hear the words of the gospel; and, if to hear, then to judge and form opinions for himself in regard to the things spoken of. "Faith cometh by hearing, and hearing by the word of God;" but "how shall they hear without a preacher?" From these and similar texts it would not be difficult to demonstrate that it was the duty of all nations professing Christianity to open wide their doors for the entrance of unlimited toleration. In the command that the gospel is to be preached to every creature it is clear that God intends that the acceptance or rejection of salvation, upon the terms of the gospel, is for the judgment of each individual in his own case. While we believe that Christ has thus clearly pointed to the preaching of the gospel and unrestricted toleration as the best, if not the only, means for evangelizing the world, we do not propose to interfere with the laws, religious establishments, or the citizens of other nations. All we ask is that our citizens, domiciled temporarily in foreign countries, should be allowed by the laws of those countries the privilege of free and open worship according to the dictates of their own consciences.

There is another subject, bearing an intimate relation to the foregoing, which the committee think proper to bring to the attention of the Senate in connection with the question of religious freedom for our citizens abroad. It is the right to bury those of our citizens who may die abroad with those religious observances which are so well calcu-

lated to soothe the anguish of surviving relations and friends. The deepest emotions of the heart enter into the performance of the last sad ceremonies over the dead. To be prohibited and controlled in the performance of these ceremonies is an interference cruel to the mourner and productive of no possible good to anyone. We therefore think that foreign nations should allow our citizens dying abroad to be buried with those religious observances which may be deemed appropriate by their surviving friends.

With these views the committee recommend the adoption of the following resolutions:

Resolved, That it would be just and wise on the part of the Government of the United States, in future treaties with foreign nations, to secure, if practicable, to our citizens residing abroad the right of worshiping God, freely and openly, according to the dictates of their own consciences, by providing that "they shall not be disturbed, molested, or annoyed in any manner on account of their religious belief nor in the proper exercise of their peculiar religion, either within their own private houses or in churches, chapels, or other places appointed for public worship; and that they shall be at liberty to build and maintain places of worship in convenient situations, interfering in no way with, but respecting, the religion and customs of the country in which they reside."

Resolved further, That it would be just and wise in our future treaties with foreign nations to secure to our citizens residing abroad the right to purchase and own burial places, and to bury any of our citizens dying abroad in such places with those religious ceremonies and observances deemed appropriate by the surviving relatives and friends of the deceased.

[See pp. 105, 221.]

February 22, 1853.

[Senate Report No. 423.]

Mr. Underwood made the following report:

The Committee on Foreign Relations, to whom was referred the memorial of the American Peace Society, signed by its principal officers, and various other memorials numerously signed, from many States of the Union, praying for the adoption of measures to avert the evils of war, and suggesting the propriety of "securing in our treaties with other nations a provision for referring to the decision of umpires all misunderstandings that can not be satisfactorily adjusted by amicable negotiaton," have had the same under consideration, and now report:

That the subject of these memorials is of vast importance, involving inquiries into the effects produced by war upon the physical, intellectual, moral, and religious welfare of mankind, and, if these effects be found deleterious, then the consideration of plans to arrest the evil.

The committee, after due deliberation, are of opinion that wars which successfully resist oppression may, in their results, more than compensate for the blood and treasure expended in their prosecution. But wars commenced to maintain the rights of the people, when unsuccessfully terminated, only strengthen the hands of despotism, and generally place those who have taken up arms to resist wrong in a worse condition than they were in the beginning. The revolution by which the people of the United States broke the dominion of Great Britain and established free popular government furnishes an instance where the consequences of war have fully compensated the expenditure. But this is a rare instance in the history of revolutions. It is unnecessary to refer to those which have been attempted and

failed, leaving the oppressed in a worse condition after than before the war.

While the committee do not intend to deny the right of any people or nation to resort to war for the purpose of ridding themselves of oppression or of defending themselves against aggression when it can not be accomplished by peaceable means, yet they regard the tendencies of war to be injurious to the progress of mankind in science, art, morals, civilization, and happiness; and hence it can only be justified upon the ground that it is a less evil than that which can only be avoided by the resort to war. In this view, war presents itself as a choice between evils.

That war is an evil of stupendous magnitude in its effects upon the physical welfare of mankind no one can deny who regards and reasons upon incontrovertible facts.

The business of war is to force and secure submission on the part of the enemy by inflicting a destruction of life and property. The purpose of a campaign is to conquer, to subdue the enemy. The means to accomplish it are found in the sacrifice of life in bloody battles, in the sacking of cities, in the devastation of countries, in the sinking of ships, in the seizure and confiscation of cargoes, and in forcing contributions from those who are overrun. The immediate object of war is to create human misery to such a degree that those who suffer will thereby be influenced to yield to the demands (whether right or wrong) of those who inflict the injury, rather than prolong their sufferings by a continuance of the war. Under such a system, fathers, husbands, sons, and brothers are consigned, in the vigor of manhood, to sudden death, and their bodies often abandoned without burial, leaving mothers, wives, daughters, and sisters to lament with excruciating anguish the loss of that society which constituted their chief earthly happiness. But, even if they survive the battle, it may be at the expense of an eye, an arm, or a leg; and when they retire from the army, if their bodies are not maimed and mutilated, their physical constitutions are often broken down, and they fall early victims to diseases contracted in the service. It is needless to comment upon the distress and wretchedness which families experience when deprived of those who supplied the wants of women and children with food and raiment. Every person can call to mind some known and familiar instance of a family whose comfort and happiness have been destroyed by the consequences of war. Individual and family sufferings are the confluent particles which form the great streams of national calamity; and the committee, without dwelling upon them, will proceed to present some general considerations and facts which they trust will exhibit the evils of war in a light so striking as to induce every patriot and philanthropist to labor for its extermination.

Armies, to render efficient service, must be composed of intelligent, able-bodied men—such as are capable, in civil employments, to increase greatly the products of agriculture, mechanism, and commerce, upon which the physical comforts of every people essentially depend. Abstract the labor of 100,000 men from the tillage of the earth, from the mechanic and manufacturing arts, and from the business of commerce, convert them into soldiers, and what consequences naturally follow the procedure?

The first is, that they become consumers instead of producers—maintained, not by their own, but by the labor of others. However actively and industriously they may be engaged to meet and overcome the enemy, all their labors for such purposes, instead of adding to,

only consume and waste the food and raiment and implements furnished by the labor of others. The consequence is that the laboring producers must work harder to keep up their own customary supplies, and to support, in addition, the army of consumers and nonproducers whose business it is to live on the labor of their friends, and to destroy the lives and property of their enemies.

The second consequence is that the 100,000 men, taken from the industrial pursuits which create the means of comfortable living and placed in an army to lead the life of soldiers, must be furnished with the implements and munitions which belong to their new trade of destruction. Swords, pistols, rifles, muskets, bayonets, cannon, powder, balls, and bombshells must be fabricated and supplied. In addition, there must be the means of transportation by land and water. Beasts of burden and wagons of all sorts and without number must be provided. Water craft of all kinds and dimensions, from the common ferryboat to the magnificent three-decked man-of-war ship, must be constructed or purchased. When a suitable armament is obtained, and military and naval operations begin, every movement is attended with deterioration and waste of material, making a perpetual renewal absolutely necessary. The forage for horses, mules, and oxen, and the destruction and loss of animals and carriages attached to armies, constitute no inconsiderable item to be kept up by the labor of the country which furnishes the supplies.

The third consequence is. that if the laboring classes, upon whom the burden falls of supporting the nonproducing army in food and raiment, and of providing all the munitions of war to render the army efficient, can not do it for want of means, and the government under which they live can not, therefore, venture to increase the taxes, the people and their government are driven by the urgency of circumstances to anticipate their revenues by borrowing money. Hence the creation of national debts, and with them a new set of nonproducers, who live sumptuously upon the interest of their money and by dealing in stocks. Thus the living generation are often required to toil and labor to discharge the principal and interest of national debts created in former ages. Besides the current and necessary annual expenditures of government, they are called on to pay the debts of centuries, and taxation becomes an intolerable burden.

That these are the natural consequences of war no one can doubt who is at all acquainted with the history of nations and their public debts. Exempt as are the people of the United States from oppressive taxation to meet the interest of their public debt, and small as that debt is, compared with the debts of other nations whose resources are not equal to ours, yet it is well known that nearly the whole of our debt, exceeding, on the 1st of January last, $65,000,000, has been the result of war. To show the burdens which wars entail on nations by public debts, the committee herewith present two tables, marked A and B, taken from Hunt's Merchants' Magazine of May, 1843. The first exhibits the public debt of Great Britain, taken from the budget of 1840, at various periods in British history; and the other gives the amount, in German dollars, of the debt of many nations of Europe, their population, and average of debt to each inhabitant. These tables may not be perfectly accurate, but, no doubt, approximate the truth sufficiently near for every purpose of plain argument and illustration. Taking into consideration the debts of the smaller European states and free cities, and adding them to the aggregate of debt as stated in Table B, it may be safely affirmed that the total public debt

of the states of Europe was not less than $8,000,000,000 in 1840! The annual interest on this enormous amount of debt, supposing it to average only 4 per cent per annum, is equal to $320,000,000 each year. In other words, each man, woman, and child, if the interest were raised by a capitation tax, would have to contribute $1.29 per annum, in addition to the sums necessary to meet the annual expenditures of government for other purposes, estimating the countries which owe the debts to contain a population of 248,000,000. Turkey in Europe has been omitted in these calculations, because the committee had no data before them upon which that country could be included.

If we consider, by way of contrast, the more beneficial uses to which war taxes and war debts might be applied, could wars be avoided, we shall see more clearly the immense losses and deprivations which mankind have sustained in consequence of devoting their energies and resources to the purposes of war. Thus the interest on the European debt would pay an annual salary of $400 to 800,000 teachers of children. These teachers, allowing 30 children to each, could instruct 24,000,000 children, of suitable ages, in the usual branches of a common education—as reading, writing, arithmetic, geography, and grammar. Thus the debts of the states of Europe created by wars, as an education fund, would teach every child of suitable age within their territories those rudiments of learning which open the door to the highest attainments in science. What blessings would this confer upon the children of the lower classes of Paris and of London; and not only these, but upon the children of all the poor, whose circumstances prohibit the expenditure of money, even if they had it, in educating their children!

The interest for one year on European war debts would construct 8,000 miles of railroad, and provide depots, locomotives, cars, and everything needful for the transportation of freight and travelers, at a cost per mile not exceeding $40,000. Thus a railroad might be constructed from Paris to Canton, in China, for less than a year's interest on the war debts of Europe.

The interest payable annually upon war debt is but a small portion of the annual burden imposed upon the people for war purposes. The expense of keeping and sustaining large standing armies and navies is tenfold greater than paying the interest on national debts. And, although the nations of Europe have been at peace for many years, from recent information it appears that there has been no diminution of their military establishments. The following extract, taken from a recent publication in London, and which refers to Parliamentary papers and the "budgets" for the years 1835 and 1852 in support of the truth of the statements, exhibits the condition of things on this point in regard to the United Kingdom of Great Britain and Ireland. The publication states:

> While its [United Kingdom] national debt has not been materially diminished, its war establishment has been fearfully increased. In the space of seventeen years—namely, from 1835 to 1852—its armed men have multiplied from 145,846 in the one period to 272,481 in the other, being an addition in those comparatively few years of no fewer than 126,635 men in arms.

The publication proceeds to state that an additional force of 80,000 men had recently been provided for, "in the form of a militia, at a cost of £350,000 ($1,750,000) to the country; and more recently still, they (ministry, etc.) have demanded and obtained, for an increased navy, another sum of £600,000 ($3,000,000), making together nearly one million sterling taken from the income of the Empire in 1852, in addition to the large annual expenditure for similar purposes."

The same publication states that—

In 1835 the whole cost of the army, navy, and ordnance of Great Britain was £11,657,487 sterling ($58,287,435); in 1852 the charge for the same departments (including the Kaffir war, etc.) has risen to the startling sum of £16,500,000 ($82,500,000), being an increase of no less than £4,842,513 sterling, and this does not include the £600,000 recently added to the navy.

We shall conclude these extracts by giving the commentary of the writer on the preceding facts. He says:

The injury which this immense drain on our national resources must inflict upon commerce is incalculable. Take Manchester and Salford as an instance. Their united population of about 400,000 inhabitants, according to the existing average of taxation, pay annually for past, present, and future wars no less than the astonishing sum of £875,000 ($4,375,000, or $10 per head), and at this rate such a population during the last thirty years of peace will have lost from their united resources for war purposes alone the almost overwhelming sum of not less than twenty-five millions sterling. What the inhabitants of these two great boroughs could have accomplished with this vast amount defies all description; but it is undeniable that solid improvements, and on a scale of the most commanding magnitude, in all the social, sanitary, and intellectual departments of activity might have been carried on to their full completion by those resources which, through a system of warlike extravagance, are now forever lost. The inhabitants of the United Kingdom at large will have contributed to this extravagant outlay during the thirty years of peace the perfectly bewildering amount of more than one thousand two hundred and fifty millions ($6,250,000,000).

Nor does the agricultural market suffer less, in proportion, than the manufacturing, of which the following statement is a convincing and melancholy proof: Its 600,000 laborers, who, with their families, amount to nearly two millions and a half of the entire population, will not receive as wages for their whole year's toil more than fifteen millions sterling ($75,000,000), while for armed men alone the country will pay, as above stated, upward of sixteen millions ($80,000,000) for the same space of time. Thus the tillers of the soil, whose hard and honest labor provides the substance of our daily bread, will receive for that labor millions less than men in arms who of necessity must be mere idlers in the State except when engaged in the work of mutual destruction.

It might seem useless further to pursue these investigations in reference to the states of Europe. But it is deemed proper to make a brief reference to the state of things now, or very recently, existing in France, taken from a translation of an article published in the Siècle. From this it appears that in France and Algeria there are kept up "102 regiments of infantry, 10 battalions of foot chasseurs, 3 regiments of zouaves, 3 battalions of African light infantry, and 19 companies of discipline. These corps contain 261,095 officers, non-commissioned officers, and soldiers, at an expense of pay and living alone of 78,000,000 francs" (equal to $14,820,000). The article proceeds to say:

Our 58 regiments of cavalry, 2 squadrons of guides, and 4 companies of the body called "Cavaliers de Remonte" contain 61,187 men and 44,707 horses, at an expense of 57,000,000 francs (equal to $10,830,000). The artillery—which is divided into 14 regiments, a regiment of pontoniers, 4 squadrons of park artillery, and 13 companies of workmen—consists of 32,000 men and 11,138 horses. The engineers consist of 9,290 men and 748 horses, and the wagon train of 5,000 men and 4,425 horses. The gendarmerie and veterans form a chapter of the budget quite apart.

The number of the gendarmerie and veterans is not stated, nor the annual sum required for their support. Neither is the annual cost of the artillery, engineers, and wagon train given. But, supposing that it is equal, in proportion, to that of the cavalry, it is not less than 33,683,000 francs, or $6,399,770. Thus the army of France, exclusive of the gendarmerie and veterans, composed of 368,572 men and 61,018 horses, costs annually, to pay and support them, more than $30,000,000 in peace. This estimate does not include the navy of France.

According to the foregoing data, the standing armies of Great Brit-

ain and France exceed 640,000 men. Including the armies of all other European states, the number can not fall short of 2,000,000 men, without taking any account of the naval armaments and number of marines, sailors, and officers. Your committee have seen a publication in which it is estimated that the annual charge upon the people of Europe to maintain their military establishment is not less than $500,000,000, and to pay the interest on their national debts not less than $300,000,000. In the opinion of the committee, these estimates are fully sustained by the data they have examined. The thought is appalling that the laboring and productive classes of Europe should be annually taxed to the extent of $800,000,000 to pay interest on war debts and to support millions of men, withdrawn from the arts of agriculture, commerce, and mechanism, in idleness during peace and to prepare them to destroy each other in times of war.

We will close these investigations by remarking that our own public debt, nearly all of which is the consequence of war, and the expenses of our Army and Navy a single year—the Army having cost $8,689,530 and the Navy, including dry docks and ocean steam mail contracts, $7,450,300 during the fiscal year ending in June, 1853, according to official reports—would build a railroad, at $35,000 per mile, from the Mississippi River to San Francisco, in California. A single year's interest at 6 per cent on the amount of our national debt and the amount expended for military and naval purposes during the last fiscal year would pay a salary exceeding $200 to 100 school-teachers in every Congressional district in the United States. We shall only allude to the system of pensions and the burdens entailed on nations to support pensioners. For the next fiscal year, to meet these claims more than $2,000,000, according to the Secretary's report, will be wanting. All this is the consequence of war.

The facts and considerations already presented are enough to show what mankind have lost by applying their labor and money in scourging nations with the calamities of war. Had the labor and money thus thrown away in making nations miserable been applied in constructing roads and canals and telegraphs, in supplying towns and cities with pure water and other improvements, in building churches and schoolhouses, in procuring books and apparatus, and in paying teachers to instruct children, instead of paying soldiers to butcher their fellow-men in cold blood, without knowing whom they are killing—if this wasted labor and money had been used with a view to the physical, intellectual, and moral advancement of mankind, the imagination can not grasp the incalculable blessings which would have been the result.

We shall not dwell upon the deleterious effects of war upon the moral and intellectual progress of mankind. To trace its consequences, and to show that no people can advance when maddened and harassed by the intense excitements and engagements which occupy them in a state of war as they could in peace, would be to waste time in proving a self-evident proposition. We therefore dismiss this part of the subject, and take up the inquiry whether it be possible to prescribe a remedy for the evils of war; and if so, what is the remedy?

It is an axiom sanctioned by the experience of mankind in all ages and under all circumstances, that no one can be trusted as judge in his own case. Civil governments are based upon the idea that disinterested tribunals must be established in order to administer justice between contending individuals and their conflicting claims. If individuals, members of the same society and residing in the same

neighborhood, can not be allowed to judge of the extent of their injuries, and to redress, each for himself, the wrong of which he complains, because of his incapacity, under the influence of selfishness, to perceive what justice requires, and to keep himself within the boundaries of exact justice, when he undertakes to right himself, how is it more reasonable that states, being only the aggregate of individuals, should, through their governments, be allowed to judge exclusively of the wrong suffered and the extent and nature of the remedy to be applied? Are aggregates of men, or associated multitudes, exempt from all the passions, prejudices, and selfishness which operate upon the individuals who compose them? Are governments less influenced by the spirit of aggression and aggrandizement than individuals? We think the history of nations furnishes a negative answer to these questions. The peace, happiness, and good order of society imperatively demand the establishment of courts of justice, in which disinterested judges shall settle individual controversies; and we believe that civilization could hardly exist among any people where each individual was allowed to be the judge and avenger of his own wrongs. That governments should be allowed to exercise privileges and powers in deciding their disputes with other governments which could not for a moment be conceded to individuals can only be tolerated upon the ground of necessity. It may be said, and with truth, in the present posture of the affairs of the world, that there is no superior, paramount authority to which nations can apply for redress against each other, and therefore each must judge and redress for itself the wrong it suffers. We shall not deny this position, either in respect to individuals, nations, or governments, when they are independent and not subject to the control of some higher power. Savages, in a state of nature, without the restraint of laws, must judge and act for themselves. Each must redress his own wrong, or engage others to assist him, as best he may. But as men have emerged from a state of nature into the social system of establishing government, and surrendered the right of self-redress, except in cases where spoliation and injuries were to be averted by self-defense, and have been eminently blessed by making the surrender, it is worthy of the gravest consideration whether nations and governments may not establish a tribunal into whose hands their right of self-redress may be safely surrendered.

The several States embraced by and constituting now the people and Government of the United States, under the control of the Federal or National Constitution, have surrendered their right of self-redress against each other, and against foreign nations and governments, in many highly important particulars. Perhaps it is not going too far to say that this right has been fully surrendered to the General Goverment in all cases where the injury complained of has been fully perpetrated and completed, retaining, however, the fullest right to repel the infliction of injuries from any quarter which may be attempted, and which are not consummated—just as any citizen may defend his person, his family, or his property against violent attacks, notwithstanding his surrender of the right of self-redress to his government in most cases. In the opinion of some of the committee, the day will come in the progress of intelligence and Christianity when nations will unite in establishing a tribunal in which all international controversies shall be adjudged and determined; but, as the committee do not at present intend to recommend measures to that extent,

they forbear to go into details of the plan and its operations, or the reasons in support of it.

All that the committee are willing to advise and recommend for the present is, that in the treaties which are hereafter made with foreign nations, it shall be stipulated between the contracting parties that all differences which may arise shall be referred to arbitrators for adjustment. Under such stipulation the board of arbitrators, or the single arbitrator, would be selected after the occurrence of the difficulty. Each party would be careful to select impartial persons, distinguished for their virtues and talents, and each would have the opportunity of objecting to anyone proposed who might not possess these high qualities. In the opinion of the committee, the arbitrators should be eminent jurists having little or no connection with political affairs. If the parties could not agree in the selection of arbitrators, and could not themselves settle the controversy by a new treaty, then either might undertake to redress, according to its own judgment, the grievance complained of. But, before a resort to arms, in order to retain the respect of mankind, it would be necessary to make an honest effort to select capable and impartial arbitrators. The least trickery to defeat the arbitration, and at the same time apparently comply with the requirements of the treaty, would be certain to bring general odium on the guilty party—to avoid which nations and individuals in this age of the world will do much.

It may be objected that the arbitrators, through imbecility or corruption, may err in their award. It is not likely they will be destitute of capacity. If they are, it will be the fault of those who select such. But suppose they are corrupt, and should render an award palpably unjust; what is then to be done? It is a legal maxim that fraud vitiates everything. All contracts, judgments, and awards fraudulently obtained are to be set aside and held for naught; and there is a chancery jurisdiction provided in well-regulated governments to supervise and annul every transaction based upon fraud.

Now, in case the arbitrators should make a fraudulent award, then the party injured by it must, of necessity, as there is no higher jurisdiction to supervise and annul it, refuse to execute it, and publish to the world the reasons for the refusal. If in doing so it could be shown that the award was the result of partiality or corruption, the honest sentiment of mankind would justify the nation injured by it in resisting its execution by war should milder means prove ineffectual. Thus, in case national differences are submitted to arbitrators for adjustment and the award should be of such a character as that one of the parties can not submit to it, resistance and war may be resorted to in the end. It may be asked, Why go through the forms of an arbitration unless the award is to be conclusive and final? What good can result from the delay, the expense, and the ceremonies of an arbitration if the parties to it may, after it is over, still renew their quarrel and go to war? We answer, much good. The necessary delay in selecting the arbitrators and preparing for and conducting the trial will prevent hasty declarations of war. It will allow time for the blood to cool and for the mind to reflect. Calm deliberation is the friend of peace. The award will show the contending nations what opinions disinterested judges entertain of their quarrel. Just and able arbitrators will, by their reasonings in regard to the controversy, exhibit the right and justice of the case and the wrong committed by one or both parties in such a clear light that all disinterested persons will perceive what ought to be done for the true interest of the disputants. An award sanctioned by the common sense and justice of the

world could not be resisted by either party unless ruin, manifest and inevitable, would be the consequence of executing it. In that event there is a higher principle which would allow resistance—the principle of self-preservation. Nations and individuals may sometimes be placed in such circumstances that they may rightfully refuse to execute their engagements entered into through improvidence, want of forecast, or pressing necessity. Many examples might be given by way of illustration, but we shall only mention one case. By treaty made in 1778 the United States agreed to guaranty to France "forever, against all other powers, her present possessions in America." The alliance with France, which so essentially aided us in the war of the Revolution, if we are not entirely indebted to it for our national independence, required us to take part in her future wars so far, at least, as to make good the above guaranty. But the Father of his Country, considering the imminent peril which we should incur by the fulfillment of this stipulation of the treaty, issued his celebrated proclamation of neutrality in 1793, refusing to take part on the side of France against England in the war then raging, even to protect the French West India colonies. So, likewise, where nations refer a controversy to arbitration and the award is such as to put the very existence of the unsuccessful party in jeopardy by its specific execution, the nation decided against is not bound to sacrifice itself. In all such cases, however, there is the strongest moral obligation to make adequate compensation, if it be possible. Thus there can be no danger to the real interest of any nation likely to result from the submission of disputes with other nations to arbitration, as the question of executing the award will remain open after it has been made, and its execution may be resisted for sufficient cause. But just arbitrators will always regard the condition of the party against whom the award is to be made, and will not requre impossible things—things that are morally impossible, because they can not be conceded without ruin.

Nations, by a reference of their disputes to arbitrators, might reasonably calculate that, however onerous the award, its fulfillment would not cost as much as the resort to war. If its execution presents a burden somewhat oppressive, still that which would be saddled upon the people by war, in all probability, would be more grievous.

It sometimes happens that "the point of honor" between nations seems to demand immediate action, and a blow is given without time for deliberation. The nation struck resents, and war is the consequence. Treaty stipulations requiring arbitration would be a salutary remedy in such cases. The "point of honor" would then consist in adhering to the treaty.

Contemplated in all its aspects, the committee perceive no evils likely to result from treaty stipulations in favor of referring national disputes to arbitration for adjustment. Believing that much good will result, they do not hesitate to recommend, as a part of our permanent foreign policy, the incorporation of a provision in all treaties to the effect that, should controversies arise, they shall be submitted to the decision of disinterested and impartial arbitrators, to be mutually chosen, with the privilege on the part of the arbitrators to select an umpire, in case they are equally divided.

The present state of the world is peculiarly favorable for the introduction of such a policy. The powerful Christian nations are at peace with each other. Their prosperity and happiness have been rapidly advancing during the years of peace they have enjoyed. No greater calamity can befall them than breaking up the peace which so happily prevails.

The United States, of all others, is the proper country to propose this policy to the nations of the earth. We have shown in our past history a capacity for war. The love of military glory is a passion as strong with us as any other people, if not stronger. Our institutions invite every citizen to become a soldier in time of war. Our ranks are filled with volunteers panting for an opportunity to distinguish themselves. Our young men rush to battle with the full assurance that the highest civil honors often reward the toils and dangers of the triumphant soldier. Our institutions, therefore, tend to make us a military people. We are rapidly growing in power. Our progress is without a parallel. Under such circumstances, in proposing a policy of peace, it can not be supposed that we are influenced by any other motives than those which spring from the purest philanthropy. The policy proposed is adverse to aggression. It respects the rights of all nations. Its object is "peace on earth, good will among men."

May we not hope to be successful in our efforts for peace? So far as national arbitrations have been tried, we do not know any case where the award, however complained of, has been productive of a hundredth part of the evil which would have resulted from war. Take any award which has been rendered, concede it to be wrong, admit that the arbitrators were mistaken and erred in judgment, and then weigh and compare the evils which would result from the execution of such award with those which would follow a state of war, and it will be found that war is infinitely the greater evil. So far as past experience can be relied on, we think it favors the policy of adopting national arbitrations as the best means of settling national disputes.

There are powerful and rapidly accumulating interests in favor of peace, and adverse to war. The interests of commerce, which, through the enteprise of Christian nations, have penetrated almost every region of the earth, binding our race together by a more intimate intercourse and stronger fellowship, would be greatly injured by a state of war. These interests appeal to the rulers of mankind, and ask for peace.

The interests of science, civilization, and Christianity implore the governments of the world to suppress wars. The scientific traveler desires to explore every square mile of the globe, to study its botany and mineralogy, its reptiles, birds, and beasts, its soils and climates, its population and their manners and customs, their laws and religion, and thus to acquire and diffuse that knowledge which will enlarge and liberalize the mind, instruct commerce where to find supplies to purchase and markets in which to sell, and teach agriculture, by spreading the knowledge of the implements and tillage and productions best suited to the various soils and climates of the earth, as ascertained by the experience of centuries. War obstructs all this, because, during a state of war, travelers are regarded with suspicion, if not arrested as spies.

Civilization and Christianity are making vigorous efforts to penetrate and enlighten the dark lands of barbarism and idolatry. The devout missionary looks forward with undoubting faith to the period when peace universal and permanent shall pervade the earth, when nations "shall beat their swords into plowshares and their spears into pruning hooks," and when "nation shall not lift up sword against nation, neither shall they learn war any more." He believes that the day is coming when the tactics of death and destruction will cease to be a study among men. He believes that the promised Messiah has come, that "of the increase of His government and peace there shall be no end," and that "He shall have dominion also from sea to sea,

and from the river unto the ends of the earth." He believes that this great purpose is to be brought about by human agency, acting under the influence of the Spirit of God; and with this faith he goes forth to "preach the gospel to every creature," according to the command of his divine Master. His mission is one of love and peace. His purpose is to elevate man by instructing his mind and soul, and to make him a new creature in Christ Jesus. This work of missions, as the best means of converting heathen nations to the doctrines and faith of Christianity, has grown in popular favor with all classes of Christians. It has been adopted alike by Catholic and Protestant. It is relied on to bring all nations into a common brotherhood, by spreading over the earth a common religion, in which the same Decalogue, the same moral principles, shall be taught and embraced by all. This great object of Christian effort would be obstructed, if not entirely defeated, by the prevalence of wars. It is difficult, where peace and commercial intercourse exist between a Christian and anti-Christian nation, for the missionary of the former to penetrate the territories and conciliate the favor and esteem of the heathen. It would be impossible in a state of war.

The committee believe that the petitions submitted to them indicate that there is a strong religious and philanthropic sentiment pervading our whole country in favor of peace among all nations. This sentiment is universal among Christians of all denominations, in the opinion of the committee, and it is manifesting itself through the petitions before us. The political strength of the Christians of our country is such as to command attention and respect on all occasions, even if we did not entirely concur in their views; but when, as in this case, the members of the committee heartily concur with what they believe to be the Christian sentiment of the country, it is an occasion for congratulation that they have the opportunity of cooperating with the memorialists in efforts to accomplish their noble purpose.

The committee recommend the adoption of the following resolution:

Resolved, That the Senate advise the President to secure, whenever it may be practicable, a stipulation in all treaties hereafter entered into with other nations providing for the adjustment of any misunderstanding or controversy which may arise between the contracting parties by referring the same to the decision of disinterested and impartial arbitrators, to be mutually chosen.

A.—*Public debt of Great Britain.*

	Principal, funded and unfunded.	Interest and management.
Debt of Great Britain at the revolution in 1689	£664,263	£39,855
Excess of debt contracted during the reign of William III above debt paid off	17,730,439	1,771,087
Debt at the accession of Queen Ann in 1702	16,394,702	1,310,942
Debt contracted during Queen Ann's reign	37,750,661	2,040,416
Debt at the accession of George I in 1714	54,145,363	3,351,358
Debt paid off during the reign of George I above debt contracted	2,053,125	1,133,807
Debt at the accession of George II in 1727	52,092,238	2,217,551
Debt contracted from the accession of George II till the peace of Paris in 1763, three years after the accession of George III	86,773,192	2,634,500
Debt in 1763	138,865,430	4,852,051
Paid during peace from 1763 to 1775	10,281,795	380,480
Debt at the commencement of the American war in 1775	128,583,635	4,471,571
Debt contracted during the American war	121,267,993	4,980,201
Debt at the conclusion of the American war in 1784	249,851,628	9,451,772
Paid during peace from 1784 to 1793	10,501,380	243,277
Debt at the commencement of the French war in 1793	239,350,148	9,208,495
Debt contracted during the French war	601,500,343	22,829,679
Total funded and unfunded debt on the 1st February, 1817, when the English and Irish exchequers were consolidated	840,850,491	32,038,291
Debt canceled from February 1, 1817, to January 5, 1838	48,544,049	2,576,763
Debt and charge thereon January 5, 1838	792,306,442	29,461,528

NOTE.—To convert pounds sterling into dollars, multiply by 5.

B.—*Debts of countries in Europe, in German dollars—equal to about 82 cents of the States currency.*

Countries.	Debt.	Number of inhabitants.	Average of debt to each inhabitant.
Holland	800,000,000	3,000,000	266.66
England	5,556,000,000	25,000,00	222.24
Frankfort-on-the-Main	5,000,000	55,000	90.91
France	1,800,000,000	33,000,000	54.54
Bremen	3,000,000	55,000	54.54
Hamburg	7,000,000	155,000	45.16
Denmark	93,000,000	2,100,000	44.57
Greece	44,000,000	1,000,000	44.00
Portugal	144,000,000	3,800,000	38.63
Lubec	1,700,000	45,000	37.78
Spain	467,000,000	13,000,000	35.92
Austria	380,000,000	12,000,000	31.67
Belgium	120,000,000	4,000,000	30.00
Papal States	67,000,000	2,500,000	26.80
Hesse Hamburg	587,000	25,000	23.48
Saxe Meinengen	3,000,000	140,000	21.43
Anhalt Rothen	800,000	39,000	20.51
Brunswick	5,000,000	260,000	19.23
Bavaria	72,350,000	4,250,000	17.00
Naples	126,000,000	7,600,000	16.58
Saxe Weimar	3,000,000	240,000	12.50
Hanover	19,000,000	1,700,000	11.47
Prussia	150,000,000	13,500,000	11.11
Nassau	3,700,000	370,000	10.00
Russia and Poland	545,000,000	60,000,000	9.09
Baden	11,000,000	1,250,000	8.80
Wurtemburg	14,000,000	1,600,000	8.75
Parma	3,700,000	433,000	8.60
Hesse Darmstadt	6,250,000	800,000	7.81
Modena	3,000,000	403,000	7.44
Sardinia	32,000,000	4,500,000	7.11
Saxony	11,000,000	1,700,000	6.47
Saxe Altenburg	700,000	120,000	5.83

NOTE.—Those States whose debts do not amount to $5 for each inhabitant are omitted.

[See pp. 72, 74, 78.]

THIRTY-THIRD CONGRESS, SPECIAL SESSION.

March 26, 1853.

On resolution by Mr. Bright, as to measures necessary to prevent incursions of Indians into the territories of Republic of Mexico, Mr. Mason reported as follows:

The Committee on Foreign Relations, to whom was referred by the Senate a preamble and resolution in the following words:

Whereas, notwithstanding the measures which may have been or may hereafter be taken by the United States, in conformity with the eleventh article of the treaty with Mexico to prevent incursions into the territories of Mexico by savage tribes within their limits, such incursions may have been or may hereafter be made, to the injury of citizens of Mexico or their property, which may tend to produce misunderstanding between the two Governments and possibly give rise to claims on the United States for indemnification on the part of Mexico or her citizens: Therefore,

Resolved, That in the opinion of the Senate it is desirable, with a view to the preservation of good understanding between the two Republics and also for the interest of the United States, that for a proper consideration the United States should be released by Mexico from all pecuniary liability for injury or damage heretofore done or which may be hereafter done to Mexican citizens or their property in any such incursion.

Resolved, That the Secretary lay a copy of this resolution before the President of the United States—

have had the same under consideration and now respectfully report:

That whilst there is no information before the committee which should lead to an apprehension that any misunderstanding can arise between the Governments of Mexico and the United States or any claims to indemnification on the part of Mexico or its citizens against the United States because of the eleventh article of the treaty referred to, making it expedient to negotiate for the release mentioned in the resolution referred to them, there are considerations which, in the opinion of the committee, make it unadvisable that the Senate should express any opinion on the subject treated of in the resolution.

The committee therefore report the resolution back with a recommendation that it be not adopted.

(Ex. Jour., vol. 9, p. 110.)

[See pp. 11, 16, 25, 32, 120, 199, 276, and Affairs in Cuba, Vol. VII.]

THIRTY-THIRD CONGRESS, FIRST SESSION.

August 3, 1854.

[Senate Report No. 394.]

Mr. Mason made the following report:

The Committee on Foreign Relations, to whom was referred the message of the President of the United States of the 1st day of the present month, in reply to the resolution of the Senate asking information from the President "whether anything has arisen since the date of his message to the House of Representatives of the 15th of March last concerning our relations with the Government of Spain which, in his opinion, may dispense with the suggestions therein contained touching the propriety of 'provisional measures' by Congress to meet any exigency that may arise in the recess of Congress affecting those relations," have had the same under consideration and report:

The committee entirely concur with the President in the declaration contained in his message to the House of Representatives, and reiterated in his message to the Senate, that "in view of the position of the island of Cuba, its proximity to our coast, the relations which it must ever bear to our commercial and other interests, it is vain to expect that a series of unfriendly acts infringing our commercial rights, and the adoption of a policy threatening the honor and security of these States, can long consist with peaceful relations;" and are satisfied that whatever measures may be found necessary to insure future security and repose to the country (menaced from the quarter indicated) and to vindicate the honor of our flag will be adopted by Congress. An earnest hope, both on the part of the President and of Congress, that the difficulties with Spain referred to in the message would have been adjusted before the termination of the present session, by amicable arrangement, has, it would appear, caused both to forbear until but a short interval remains between the close of the present and the stated commencement of the next meeting of Congress.

The full reparation that has been demanded by the Executive, with adequate guaranties for the future, will alone satisfy the just expec-

tations of the country, and the committee would not hesitate to recommend the "provisional measures" suggested by the President, to be executed by him in the recess of Congress, even under the difficulties of maturing them when the close of the session is already at hand, were the interval to be long before the next meeting of Congress. As that will be, however, but of four months' duration, they have deemed it better on the whole to leave the subject as it is at present—with the Executive.

Should the occasion unfortunately make it necessary, it must, of course, occupy the earliest attention of Congress at its next meeting; and, for the above reasons, the committee ask to be discharged.

THIRTY-THIRD CONGRESS, SECOND SESSION.

[See preceding page.]

March 3, 1855.

On resolution directing committee to report to the Senate such portions of the message of the President dated July 26, 1854, relating to Cuba and the slave trade, as should be printed, Mr. Mason reported as follows:

The committee having made a selection of such documents as might, in their opinion, be printed and published, now report the same to the Senate, together with the following order:

Ordered, That the injunction of secrecy be removed from certain documents communicated to the Senate with the message of the President of the 26th of July, 1854, relating to Cuba and the slave trade, now reported to the Senate by the Committee on Foreign Relations; that the message, together with this order, be transferred to the Legislative Journal, and that the said message and documents be printed for the use of the Senate.

(Ex. Jour., vol. 9, p. 444.)

[See pp. 6, 46, 47, 355, and Consular System, Vol. VII.]

THIRTY-FOURTH CONGRESS, FIRST SESSION.

July 10, 1856.

[Senate Report No. 209.]

Mr. Mason made the following report:

The Committee on Foreign Relations, who were instructed by a resolution of the Senate of May 26, 1853, "to inquire into and report to the Senate what alterations, if any, they may deem necessary or expedient in the act entitled 'An act to remodel the diplomatic and consular systems of the United States,' approved March 1, 1855, so far as the diplomatic service is affected by said act," have had the same under consideration and now report:

With a view to avail themselves of the experience and information of the Department of State touching the subject committed to them, the committee communicated the resolution of the Senate to the Secretary of State, asking for his views as to the alterations in said act that might be supposed proper, and received in reply the annexed letter, being a copy of one addressed by the Secretary of State to the chairman of the Committee on Foreign Relations in the House of Representatives in reply to a like inquiry.

The committee entirely adopt the views of the Department as therein set forth, and report a bill accordingly.

DEPARTMENT OF STATE,
Washington, May 23, 1856.

SIR: I transmit a copy of a bill which has been prepared at this Department, and which is recommended as a substitute for that part of the act of last session which relates to the diplomatic service of the United States. The most striking peculiarity in that act is its commanding the President to appoint envoys extraordinary and ministers plenipotentiary to all the governments with which the United States has diplomatic relations, save that of the Sandwich Islands, to which the same act directs him to send a commissioner, in conformity with previous practice. It seems to have escaped attention that this provision is not in accordance with the Constitution. The President has entire discretion conferred in him by the Constitution of the United States, both as to the countries to which he might deem it advisable to send diplomatic agents and as to the grades to be conferred upon them. In confiding this discretion to him, it no doubt was presumed that from his elevated position he would be enabled to take a more comprehensive and at the same time a more correct view of the foreign affairs of the country than any other person.

The object of diplomatic missions is to adjust differences and conduct affairs between governments in regard to their political and commercial relations and to furnish the government at home with information touching the country to which the mission is accredited more full and accurate than might be obtained through the ordinary channels or more promptly than the same information might otherwise be received. The grade of a mission may be higher or lower, according to the estimate of its importance.

As a general rule no government sends to, or at least continues in, another country a minister of higher grade than that country may reciprocate. This rule, however, is by no means invariable, and, for various reasons, it seems to be proper to leave it to the President to determine the cases in which exceptions ought to be made. There are not sufficient advantages in having ministers of the highest grade accredited to all governments, the most inconsiderable as well as the most important, to justify a departure from a long-practiced and common usage, with many good reasons to sustain it.

The act of Congress of 1810 provided for the salaries and outfits of envoys extraordinary and ministers plenipotentiary and of chargé d'affaires only, and made the salaries of those officers the same, without regard to the country to which they might be sent. It made no provision for a minister resident. It is obvious, however, that circumstances might and do render it proper for us to have diplomatic agents of this grade. Perhaps it is not necessary that the compensation of ministers resident or chargé d'affaires should be different on different countries. If, therefore, the first section of the act referred to were to be amended so as to limit the salary of an envoy extraordinary and minister plenipotentiary as specified in the bill, the salary of a minister resident at $7,500 and of the chargé d'affaires at $4,500, the existing wants of the service in that respect would, it is believed, be amply provided for. It is also recommended that there be a clerk, besides the secretary of legation, allowed to the missions at London and Paris, at the rate of compensation mentioned in the bill.

It is believed to be impracticable for one secretary to perform well all the clerical duties at London or Paris. Every dispatch addressed by the minister at those points to this Department, with its accompanying papers, has to be copied by the secretary, and the dispatch itself recorded. The same course must be pursued in regard to the notes addressed by the minister to the government to which he is accredited, to other members of the diplomatic body at the place of his residence, and to consuls, citizens, and others on public business. As much of the time, however, of the secretaries of legation at those places is occupied in attending to passports for their own countrymen, travelers, or residents, and to other business consequent upon the incessant throng of citizens of the United States at London and Paris, they need an assistant in the clerical duties of the legation. The proposed addition to, and the increase of, the salaries of secretaries of legation at other points, taken in connection with the omission, which will probably be deemed advisable, to allow secretaries at some of the places where they were allowed by the act of the last session, would render the annual appropriation for this branch of the service considerably less than the aggregate amount which would be otherwise required.

I have the honor to be, sir, your obedient servant,

W. L. MARCY.

Hon. A. M. C. PENNINGTON,
Chairman of the Committee of Foreign Affairs,
House of Representatives.

[See pp. 5, 8, 28.]

THIRTY-FIFTH CONGRESS, FIRST SESSION.

January 25, 1858.

[Senate Report No. 20.]

Mr. Mason made the following report:

The Committee on Foreign Relations, to whom was referred the message of the President of the United States, dated the 7th of January instant, in answer to the resolution of the Senate calling for the "correspondence, instructions, and orders to the United States naval forces on the coast of Central America, connected with the arrest of Walker and his associates, at or near the port of San Juan de Nicaragua," have had the same, with the documents accompanying, under consideration and now report:

It appears from these documents that the President of the United States, having reason to believe that lawless men were engaged at certain points in the United States, in fitting out military expeditions against some of the republics of Central America, in violation of the laws of the country, caused the annexed circular to the civil authorities of the United States at the suspected points to be issued by the Secretary of State in the month of September last:

NAVY DEPARTMENT, *October 2, 1857.*

SIR: I am directed by the President to transmit to you for your guidance the accompanying circular, which he has caused to be issued from the State Department to various civil officers.

You will regard the instructions contained in it as addressed to yourself.

I am, respectfully, your obedient servant,

ISAAC TOUCEY.

Com. FREDK. CHATARD,
Commanding U. S. Sloop Saratoga, Aspinwall, New Granada.

[A similar letter to the above was addressed to Commander Thatcher, commanding the United States sloop *Decatur*, Panama, New Granada, and to the commandants of the navy-yards at Portsmouth, N. H., New York, Boston, Philadelphia, Norfolk, Pensacola, and San Francisco.]

DEPARTMENT OF STATE,
Washington, September 18, 1857.

SIR: From information received at this Department there is reason to believe that lawless persons are now engaged within the limits of the United States in setting on foot and preparing the means for military expeditions to be carried on against the territories of Mexico, Nicaragua, and Costa Rica—Republics with whom the United States are at peace—in direct violation of the sixth section of the act of Congress approved 20th April, 1818. And, under the eighth section of the said act, it is made lawful for the President, or such person as he shall empower, to employ the land and naval forces of the United States, and the militia thereof, "for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States." I am therefore directed by the President to call your attention to the subject and to urge you to use all due diligence to avail yourself of all legitimate means at your command to enforce these and all other provisions of the said act of 20th April, 1818, against those who may be found to be engaged in setting on foot or preparing military expeditions against the territories of Mexico, Costa Rica, and Nicaragua, so manifestly prejudicial to the national character and so injurious to the national interest. And you are also hereby instructed promptly to communicate to this Department the earliest information you may receive relative to such expeditions.

I am, sir, your obedient servant,

LEWIS CASS.

Which circular was afterwards communicated, as instructions, to the officers commanding naval stations in the United States, and to Commander Chatard, commanding the United States ship *Saratoga*, at Aspinwall, New Granada.

Afterwards, on the 3d of October, 1857, the same circular was communicated by the Secretary of the Navy to Flag-officer H. Paulding, commanding the home squadron, then also at Aspinwall.

Subsequently, Lieutenant Almy, commanding the United States steamer *Fulton*, then lying at Washington, being ordered to proceed, with the steamer under his command, to the coast of Central America, with a view to intercept any such unlawful military expedition, in addition to the circular above cited from the State Department, was further instructed as follows:

NAVY DEPARTMENT, *October 12, 1857.*

SIR: In reply to your letter of the 7th instant, it is true that American citizens have the right to travel and to go where they please, when engaged in lawful pursuit, but not to violate the laws of their own or of any other country. They have a right to expatriate and to become citizens of any country which is willing to receive them, but not to make that right a mere cloak and cover for a warlike expedition against it or its government. Your instructions do not authorize you to act arbitrarily or upon mere suspicion. You will not seize an American vessel, or bring her into port, or use the force under your command to prevent her landing her passengers, upon mere suspicion. You will be careful not to interfere with lawful commerce, but where you find that an American vessel is manifestly engaged in carrying on an expedition or enterprise from the territories or jurisdiction of the United States against the territories of Mexico, Nicaragua, or Costa Rica contrary to the sixth section of the act of Congress of April 20, 1818, already referred to, you will use the force under your command to prevent it, and will not permit the men or arms engaged in it, or destined for it, to be landed in any port of Mexico or Central America.

En route for Chiriqui you will touch at Mobile and New Orleans, and communicate with the United States district attorney at each of those ports.

I am, respectfully, your obedient servant,

ISAAC TOUCEY.

Lieut. JOHN J. ALMY,
Commanding U. S. S. Fulton, Washington, D. C.

It does not clearly appear whether the supplemental instructions of October the 12th to Lieutenant Almy were communicated by him to Captain Paulding and Commander Chatard or not, but inasmuch as he reported to Captain Paulding as early as the 10th day of November on his way to Chiriqui, in Costa Rica, it may be presumed they were.

And again, on the 16th of November, 1857, Captain Sands, commanding the United States steam frigate *Susquehanna* at Key West, was ordered to proceed immediately with that frigate to San Juan de Nicaragua, stopping at intermediate points on the coast, and to remain there until further orders; and for his guidance in reference to unlawful military expeditions a copy of the same circular from the State Department was communicated to him.

Such being the measures adopted by the President to prevent the departure of any unlawful military expedition from the United States, or to intercept them should they escape from our shores, it further appears that, on the 25th of November last, William Walker, formerly (if not then) a citizen of the United States, with about 155 armed followers, entered the harbor of San Juan de Nicaragua on board a steamer called the *Fashion*, and immediately landed with his men on a point of land forming the northern and eastern boundary of said harbor, called Punta Arenas, a short distance from the town of San Juan, which is on the opposite side of the harbor. Point Arenas your committee understand to be a part of the territory of the Republic of Nicaragua, in Central America.

The manner of and circumstances attending the landing are detailed

in the official report thereof, made by Commander Chatard to Captain Paulding, as follows:

UNITED STATES SHIP SARATOGA,
San Juan del Norte, November 27, 1857.

SIR: I have the honor to inform you that on the 24th instant, about 2 p. m., a steamer appeared off the harbor and then stood off to the eastward down the coast. She came into the harbor next morning about 7 o'clock. Her conduct of the day before made me suspect her, but my suspicions were entirely lulled when she was standing into the harbor. Not more than 15 or 20 men appeared on her deck. I expected her to anchor, but instead of that, with a full head of steam, she ran right up for the wharf of Scott's buildings. I, as well as the first lieutenant, thought it was a party sent to open the transit route. I immediately sent a boat with a lieutenant to board her and to see what she was and to examine her papers. When he returned he informed me that it was the steamer *Fashion*, from Mobile—papers all right, proper clearance, cargo, etc., and a number of passengers marked on the bills. The passengers proved to be Walker with 150 men, who all landed immediately before my boat got to them. * * * He landed 50 men or more at the mouth of the Colorado before he came here. They went up in boats to surprise Castillo and to try and take possession of the steamboats there.

It further appears from the documents that when the *Fashion* arrived off San Juan, where the United States ship *Saratoga* was then lying, the steamer, as reported by Commander Chatard, without entering the harbor, proceeded down the coast, and did not return until the next day. It afterwards became known that the *Fashion* continued on her course to the mouth of the river Colorado (the southern outlet of the San Juan into the sea), and there detached about 50 men and officers, well armed, in boats, who proceeded up that branch of the San Juan. Upon their debarkation the *Fashion* returned, as stated, to the harbor of San Juan, and landed the residue of the force on board of her, with various provisions, stores, and munitions of war, at Punta Arenas.

Information of these proceedings being communicated to Captain Paulding, on board the United States ship *Wabash*, then lying at Aspinwall, in New Granada, that officer at once proceeded with his ship to San Juan, where he arrived on the 6th of December. He found Walker with his party in camp at the place where he landed. Having displayed a large naval and military force ready for action and sufficient to overcome any resistance that could be offered, Walker and those with him gave up their arms and surrendered to Captain Paulding on the 8th of December.

It is just to this officer that the reasons assigned by him for his conduct in this regard, and his views of the circumstances attending it, should be stated in his own language by the following extracts from his official reports to the Navy Department:

[Extract.]

FLAGSHIP WABASH,
Off San Juan del Norte, December 11, 1857.

SIR: I arrived here on the 6th instant, and on the 8th, with a force from the squadron that could not be resisted by General Walker, demanded the surrender of his arms and the embarkation of himself and followers from Point Arenas.

The officers and men of his organization, together with such stores as could be received, are on board the *Saratoga*, and she will sail this evening or to-morrow morning for Norfolk. I shall direct Captain Chatard to report to the Department for instructions.

In the course I have pursued I have acted from my judgment, and trust it may meet the approbation of the President.

Extract of a letter from Captain Paulding to the Secretary of the Navy, dated flagship *Wabash*, off Aspinwall, December 15, 1857:

I could not regard Walker and his followers in any other light than as outlaws who had escaped from the vigilance of the officers of the Government and left our

shores for the purpose of rapine and murder, and I saw no other way to vindicate the law and redeem the honor of our country than by disarming and sending them home.

In doing so I am sensible of the responsibility that I have incurred, and confidently look to the Government for my justification.

Regarded in its true light the case appears to me a clear one, the points few and strong.

Walker came to Point Arenas from the United States, having, in violation of law, set on foot a military organization to make war upon a people with whom we are at peace. He landed there with armed men and munitions of war, in defiance of the guns of a ship of war placed there to prevent his landing.

With nothing to show that he acted by authority, he formed a camp, hoisted the Nicaraguan flag, called it the "Headquarters of the army of Nicaragua," and signed himself the commander in chief.

With this pretension he claimed the right of a lawful general over all persons and things within sight of his flag. Without right or authority he landed 50 men at the mouth of the River Colorado, seized the fort of Castillo, on the San Juan, captured steamers and the goods of merchants in transit to the interior, killed men, and made prisoners of the peaceful inhabitants, sending to the harbor of San Juan del Norte some thirty or forty men, women, and children in the steamer *Morgan*.

In doing these things without the show of authority they were guilty of rapine and murder, and must be regarded as outlaws and pirates. They can have no claim to be regarded in any other light.

Humanity, as well as law and justice and national honor, demanded the dispersion of these lawless men.

The remnant of the miserable beings who surrendered at Rivas were conveyed in this ship last summer to New York, and their sufferings are yet fresh in the memory of all on board.

Besides the sufferings that would necessarily be inflicted upon an innocent and unoffending people, these lawless followers of General Walker, misguided and deceived into a career of crime, would doubtless have perished in Central America, or their mutilated and festering bodies have been brought back to their friends at the expense of their country.

For the above reasons, which appear to my mind quite sufficient, I have disarmed and sent to the United States Gen. William Walker and his outlawed and piratical followers for trial, or for whatever action the Government, in its wisdom, may think proper to pursue.

The provisions, stores, and munitions found in Walker's camp and on the point, claimed as belonging to his party, were afterwards conveyed on board the United States ships. They consisted of provisions and stores of various kinds, and in large quantities, with arms and ammunition, and other military equipment, in amount apparently suited to the number of his men and for a military incursion.

After the arrest Walker was allowed, at his request, to find his own way to the United States on his parole that he would deliver himself up, with a note from Captain Paulding, to the marshal of the United States at New York. This was done. The marshal conducted him to Washington, where the Secretary of State declined to interfere, or to require his further detention, and he was discharged accordingly. The residue of the party captured with him were brought to Norfolk in the *Saratoga*. The correspondence shows nothing further in relation to those men; but from other sources the committee learn that no further detention of them was authorized by the Executive, and they were allowed to leave the ship at their pleasure.

Having thus stated what are considered by the committee the material facts shown by the documents accompanying the message, so far as necessary, to show the measures adopted by the Executive to enforce the laws prohibiting "the setting on foot within the United States, and the carrying on from the territories or jurisdiction of the United States," any military expedition against nations with whom we are at peace, and the facts attending the arrival of Walker and his party at Nicaragua, their arrest within the territories of that Republic by our naval forces, and their being brought back to the United States, the committee proceed next to review the policy connected therewith, and the conclusions arrived at, as the same are set forth in the message of the President.

The sixth and eighth sections of the act approved April 20, 1818, entitled "An act in addition to the act for the punishment of certain crimes against the United States," are referred to in the message and in the circular of instructions from the Department of State as conferring power on the President, and making it his duty, by the use of the public force, to prevent unlawful military expeditions, within the meaning of the act, from being "set on foot" within the United States, or from being "carried on" beyond the limits and jurisdiction of the United States. These sections, for more convenient reference, are here recited:

SEC. 6. *And be it further enacted*, That if any person shall, within the territory or jurisdiction of the United States, begin or set on foot, or provide or prepare the means for any military expedition or enterprise to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, every person so offending shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars, and imprisoned not more than three years.

SEC. 8. *And be it further enacted*, That in every case in which a vessel shall be fitted out and armed, or attempted to be fitted out and armed, or in which the force of any vessel of war, cruiser, or other armed vessel shall be increased or augmented, or in which any military expedition or enterprise shall be begun or set on foot, contrary to the provisions and prohibitions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States, as before defined; and in every case in which any process issuing out of any court of the United States shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, cruiser, or other armed vessel of any foreign prince or state, or of any colony, district, or people, or any subjects or citizens of any foreign prince or state, or of any colony, district, or people, in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, for the purpose of taking possession of and detaining any such ship or vessel, with her prize or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring the prize or prizes in the cases in which restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States against the territories or dominions of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace..

The committee are of opinion that the last clause of section 8 fully warranted the instructions given to the civil and military authorities by the circular quoted, and those to Lieutenant Almy, to prevent the landing of any unlawful military expedition from the United States in any part of Central America, so far as it imported the arrest of such expedition on the high seas and beyond the territorial jurisdiction of the country; and they are further of opinion that under the obligation of the President to "take care that the laws be faithfully executed," with the powers confided to him by this eighth section, it was incumbent on him to order the naval forces to pursue any such expedition which should leave the country and intercept and arrest them anywhere on the high seas.

The ship which carried Walker and his party from the country was an American vessel and cleared as such from the port of Mobile, in Alabama, under the American flag; and it is a clear principle of law that the jurisdiction of the country to which the ship belongs attends her on the high seas wherever she goes. In the matter of jurisdiction she is considered on the high seas as part of the territory of the country, and all on board are still within the jurisdiction of the United States.

If the persons on board had, before leaving the country, committed an offense against the laws of the United States, they were, whilst

under the flag of the country on the high seas, as amenable to its authority as they were whilst in the territory of the United States. It was as fully competent to the law to require their arrest on the high seas as within the territory.

A question seems to have been made, however, in the present case, whether the law of April, 1818, does authorize or direct the Executive to use the public force to arrest a military expedition (unlawful within the meaning of the act) on the high seas after it has left the country. If it does not, a law which has remained in all its substantial provisions on the statute book for more than sixty years, intended to coerce on the part of our citizens the observance of existing international relations, and thus to preserve the peace of the country, is so imperfect in its provisions as to secure immunity to those who may offend against it, provided, by deception or false and fraudulent practices, they can elude the vigilance of the police of the country and thereby escape from its shores.

The sixth and eighth sections of the act above cited of 1818 are in the greater part literal transcripts of sections 5 and 7 of the act of like character of June 5, 1794, the only material alteration being, that in the act of 1794 the offense is confined to setting on foot or carrying on from the country a military expedition against "the territory or dominions of any foreign prince or state;" whilst in the act of 1818 the words are added, "or of any colony, district, or people" with whom the United States are at peace—an enlargement made to embrace the case of such unlawful expeditions in aid of the revolutionists in Mexico and South America, then in arms against the Spanish dominion in those countries.

In the sixth section of the present act [1818] it is declared a high misdemeanor "within the territory or jurisdiction of the United States to begin, or set on foot, or prepare or provide the means for any military expedition or enterprise to be carried on from thence against," etc. The offense is thus clearly defined: The gist of it being the intent to carry on such expedition, etc., from the "territory or jurisdiction" of the United States. So long as it remained in the United States it would be harmless; but if begun, etc., with the intent to carry it on beyond the limits of the United States, the offense would be complete though it should never have left the country.

But, as has been remarked, the law would have been singularly defective, where the end to be attained was to prevent such expeditions from leaving the country, if a successful escape to sea placed the offender beyond the reach of the law. On shore, he could be arrested by judicial process, calling in aid, if necessary, the posse; but at sea he could only be safely pursued by the naval power. And we find accordingly, in the eighth section, that where authority is given to the President, or such person as he shall have empowered for the purpose, to employ the land and naval forces of the United States or the militia to take possession of and detain any ship or vessel found in violation of the provisions of that act; or where any process issuing out of any court of the United States shall be disobeyed or resisted, when used to carry into effect the provisions of that section, the like power (to use the land and naval forces) is given, "also, for the purpose of preventing the carrying on of any such expedition, etc., from the territories of the United States against the territories or dominions of any foreign prince," etc.

In the opinion of the committee the unlawful expedition is "carried on from the Territories or jurisdiction of the United States" when

it is continued on the high seas on its way to its destination and after it has left the country, and this is what the President is authorized to prevent by the use of the naval force. The jurisdiction is clear, and the mandate is to prevent the expedition being "carried on"—a mandate only to be obeyed by arresting the ship with those on board and bringing her back to answer the violated laws. The spirit of the act shows that it was the intention of the law, by the largest use of the whole public force of the United States, to put a stop to these unlawful enterprises on the part of our citizens whilst on land and within the ordinary jurisdiction of the country by the Army or (if the occasion required it) the militia, or, if in the harbors, bays, or rivers, the naval force. No distinction is made by the terms of the act designating when the one arm is to be used or when the other; the character of each imports its appropriate use. But after it was carried from the "territories or jurisdiction" it was still to be prevented. How? By means, of course, adequate to the end. By seizure at sea when carried on by sea.

In the present case, however, it appears that Walker and his followers had effected a landing on the shores of Central America and within the territory of a foreign state before they were arrested by Captain Paulding.

As a mere question of lawful authority there can be no doubt that no arrest is lawful unless made within the jurisdiction of the country, and as little that this arrest was made without the jurisdiction. But the committee entirely agree with the President that, besides the United States (the conduct of whose officer is in question), none can take exception to the act except the State whose jurisdiction was so invaded. Any complaint from Nicaragua of this violation of her territory should be received with due respect, and, if required, due amends should be made. But, as between the naval officer who made the arrest and his own Government, whilst the committee must condemn the act as not within his instructions, and having no warrant in law, still they find everything in the attendant circumstances to show that he was actuated in what he did (using the language of the President) by "pure and patriotic motives, and in the sincere conviction that he was promoting the interests and vindicating the honor of his country."

Allowance, too, should perhaps be made in reviewing this act in the anomalous condition of the place where the arrest was made, and that the landing was with no hostile intent against Nicaragua. Although constituting part of the territory of Nicaragua, yet it is very certain that for any purpose of law or police the government of that State was not present. The pretension set up by Walker himself after he landed, that he was there as "commander in chief of the army of Nicaragua," the committee do not consider as worthy of serious criticism. Whatever right or authority he may once have had, or supposed himself to have had, in the Republic of Nicaragua, was at an end more than twelve months before, when he surrendered whatever authority he held and left the country.

The government de facto was at the time of his arrest in other hands, and so recognized by this Government through an accredited minister. Whilst, therefore, the committee would visit with no severe rebuke the act of Captain Paulding for the reasons assigned, the present is deemed a fit occasion to express on their part the belief that our public officers in any branch of service are best entitled to the thanks and support of the country who, whilst keeping the most jealous guard

over its interests and honor, are most careful to keep within the pale of the laws.

The documents accompanying the message show the most diligent care on the part of the President and the Administration faithfully to execute the law of 1818 in the sections quoted; nor did the failure, either to have arrested the expedition of Walker before its departure or to have intercepted it at sea, in the opinion of the committee, result from any defect in the law or in the orders and instructions issued under it.

From documents communicated by the Executive to the House of Representatives, not embraced within the call of the Senate, the following facts appear, and which the committee append for information:

The steamer *Fashion* cleared at Mobile for San Juan de Nicaragua. Her manifest showed nothing on board but what the shipper styled an "assorted cargo," consisting of provisions, groceries, household goods, domestic cloths, farming utensils, etc.; and the written instructions to her supercargo from the shippers (which were among the vessel's papers) directed him "to offer the shipment in that market for cash, or to exchange it, or any part of it, for the products of the country, at his discretion." And she was to take in addition such passengers as might choose to visit Central America. After the vessel left the port, and while at anchor about 6 miles below the town, she was again visited by an officer of the customs and search instituted, with a view to discover whether there was anything to show that she was engaged in an unlawful voyage. His report was "that everything on board agreed with the manifest deposited in the custom-house by the captain in clearing the vessel." No arms or munitions of war were discovered, and the passengers (some 270 in number) professed in conversation to be emigrants. It was not known to the collector that Walker was on board when the vessel sailed.

As arms and ammunition in large supply were landed with the cargo at the Point Arenas, it clearly appears that false manifests were used to procure the clearance of the vessel; and it also appears that false papers in the nature of instructions to the supercargo were exhibited to lull suspicion as to the true character of the voyage.

The first act on her arrival on the coast of Nicaragua, and before the vessel came to land, was to detach a military expedition, fully armed, in boats up the river Colorado (one of the outlets of the San Juan) to seize a fortification inland, and to command that river; the next, to land Walker and the residue of his party, with their arms and equipment, at Punta Arenas, who immediately raised a flag and invested himself with all the insignia of the camp.

These facts carry with them irresistibly the conclusions, first, that the expedition escaped by false and deceptive practices at the custom-house; and, second, that it was (in violation of the laws) a military expedition begun and set on foot in the United States, to be carried on from their territory and jurisdiction.

The claim, frequently made, that citizens of the United States have the full right of expatriation (however seldom carried into practice) is one in no manner impaired, far less forbidden, by the existing laws. Nor when the intent is bona fide merely to leave the country is it a subject of inquiry, under the law, where the person is going, or with what view; and yet it will ever be found that those whose purpose is to evade the real inhibitions of the law always seek refuge or immunity under the pretense of emigration.

The terms of the law are too clear to be either misread o r misinterpreted by innocent persons. They make it only unlawful "to begin and set on foot, or provide or prepare the means, of any military expedition or enterprise to be carried on from thence," etc.

To constitute the offense it must be shown—

First. To be a military expedition that is designed; or,

Second. The preparation or provision of the means for a military expedition; and,

Third. That such military expedition is to be carried on from the United States against a people or nation then at peace with the United States.

Language can not make it more plain that any number of citizens may leave the country, singly or in bands, for any purpose under the sun, without being subject to question, provided only that they do not go as a military expedition set on foot within the United States, with intent to levy war against some foreign state.

It was by such evasions, as shown by the correspondence, that Walker sought to elude the naval forces of the United States after his landing at Punta Arenas. In his letter to Captain Paulding of the 30th of November, dated at that place, he says:

I have the honor to inform you that I landed at this port on Wednesday last from the steamer *Fashion*, bearing the United States flag and sailing from the port of Mobile, Ala. Accompanying me were a number of officers belonging to the Nicaraguan service, and some emigrants from the United States who desired to become naturalized citizens of this Republic. The steamer was regularly cleared at Mobile for the port of San Juan de Nicaragua, and it was acknowledged that her voyage was a legal one. I need not add that the President and Government of the United States were fully advised of my intention to return to Nicaragua.

Thus representing himself and officers only as in any manner connected with military life, while the rest of his party were termed emigrants, who desired to become naturalized citizens of Nicaragua, and claiming that the steamer which carried them there had been "regularly cleared at Mobile," and "it was acknowledged that her voyage was a legal one."

Compare these assertions with the false papers and deceptive practices used at the custom-house to get the vessel cleared at Mobile, above exhibited in the official letter of the collector of that port, and connect them, too, with the fact disclosed by the first action of Walker, with his "emigrants desirous of naturalization," viz, the armed expedition detached in boats up the Colorado to seize an inland fort, and the military camp immediately established on landing, as the "headquarters of the army" (not emigrants) "of Nicaragua."

The law of 1794, equally with that of 1818, was founded, in wise policy, to preserve the peace of the country and to maintain amity and amicable relations with foreign states. It denounces its penalties only against those, whether citizens or foreigners, who while within its jurisdiction abuse the protection and hospitalities of the laws by secret and unlawful practicings, to wage private war against nations with whom we are at peace, and in most cases dishonoring the American flag, used to shield them in transportation. Were such things tolerated, it would be to commit the peace of the country to every restless and turbulent adventurer who, unequal to or disdainful of the sober toils of peace, could find food for his ambition only in the license of the camp or in the rapine and ravages of war. It would take the affairs of government (in our foreign intercourse at least) from

the hands of those to whom they are committed, by the Constitution and laws, and leave them under the control, or at the pleasure, of unknown and irresponsible agencies.

The committee, on full consideration, do not see that any amendment is required to the law of 1818 so far as power is concerned to arrest on the high seas. They find such power necessarily implied by the terms of the eighth section. But inasmuch as that law may be made more efficient by some proper provisions for bringing offenders against it to trial, who after arrest beyond the territorial jurisdiction of the United States are brought back to the country, they report a bill for that purpose.

They recommend, in addition, the adoption of the following resolutions:

Resolved, That no further provisions of law are necessary to confer authority on the President to cause arrests and seizures to be made on the high seas for offenses committed against the act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved April 20, 1818.

Resolved, That the place where William Walker and his followers were arrested being without the jurisdiction of the United States, their arrest was without warrant of law. But, in view of the circumstances attending it and its result in taking away from the territory of a state in amity with the United States American citizens who were there with hostile intent, it may not call for further censure than as it might hereafter be drawn into precedent if suffered to pass without remark.

January 28, 1858.

[Senate Report No. 20.]

Amendment intended to be proposed by Mr. Slidell to the resolutions at the end of report (No. 20) from the Committee on Foreign Relations, made on the 25th instant, viz: Add the following:

Resolved, That it is expedient that the President of the United States be authorized, during any future recess of Congress, to suspend, by proclamation, either wholly or partially, the operation of an act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," approved April 20, 1818, and of an act entitled "An act in addition to the act for the punishment of certain crimes against the United States," approved June 5, 1794, should, in his opinion, the public interests require such total or partial suspension; such suspension not to exceed the period of twelve months; and the causes which shall have induced the President to proclaim it to be communicated to Congress immediately on its first meeting thereafter.

Resolved, That the Committee on Foreign Relations be instructed to bring in a bill in conformity with the foregoing resolution.

February 9, 1858.

[Senate Report No. 60.]

Mr. Douglas submitted the following report:

The Committee on Foreign Relations, having taken into consideration the subject of that portion of the President's annual message relative to our difficulties with Paraguay, beg leave to report:

That they concur with the views expressed in the message, and recommend the passage of the joint resolution herewith submitted, and for the reasons which they briefly state.

The tributaries of La Plata open a navigation for seagoing steamers

for hundreds of miles through countries as rich in natural resources and enjoying a climate as healthy and genial as our own and occupied in part by a people who desire to emulate our example and have adopted a constitution upon almost the precise model of our own. The leading European nations have sent to these countries diplomats of the highest rank and ability, have negotiated treaties, penetrated their rivers with ships of war, and are now possessed of the larger portion of their commerce; but to our Government belongs the credit of having made the first and only exploration of the waters of those rivers, and to our citizens the credit of having sent the first commercial enterprise to the most distant and productive regions of those countries.

The Argentine Confederation and Buenos Ayres, situated at the mouth of these rivers, first opened them in 1853 to foreign commerce, and the Confederation in the same year formed treaties for the navigation of those rivers and of commerce and friendship with our country.

Bolivia, situated on the head waters of those rivers, in the same year offered special inducements to their navigation and declared many places upon their banks to be free ports. With her we have also the most favorable treaty.

Brazil has readily united in this policy; but she has permitted, at the urgent application of our ministers at her court, the exploration of those rivers within her territory. She has also declared free ports upon their waters, and in 1856 negotiated a treaty with Paraguay opening the rivers of the latter country to the commerce of the world, though the latter country, under the name of police regulations, has so embarrassed the rights of transit through her waters that it is now the cause of a threatening warlike demonstration by that Empire against Paraguay.

The position of Paraguay and her policy are alike peculiar. Through her territories or upon her borders flow the most important, in a commercial view, of those tributaries, the Parana and Paraguay, while she claims the right of control, by possession, of the territory at the mouth of the Vermijo and Pilcomayo. Near her are Bolivia and the rich provinces of the Brazilian Empire. Below her are most of the States of the Argentine Confederation—Buenos Ayres, Uruguay, and Bonda Oriental. Through the rivers below she, early in 1845, invited foreign commerce. Through the rivers above she has not yet, in point of fact, permitted it to extend.

The policy of her Government is alike peculiar. While she has abandoned the system of isolation established by Señor Francia, and her present President, Lopez, invited foreign industry and commerce into the country, he seeks to almost monopolize their benefits to himself and family. And the laws of the country, called the decrees of the supreme government, are practically made and changed by his mere will. It is to this combination in its government of despotic power and trading monopoly and the peculiar character of Lopez that the difficulties existing between his country and Paraguay, as will be seen, can be easily traced.

The first of these difficulties, to which the President has called the attention of Congress, relates to the treaty which, once ratified by Lopez, was refused and rejected by him after its acceptance and ratification, with merely verbal, though necessary, amendments by the Senate. The treaty was formed in 1853. It was drafted at the same time and in the same terms, in effect, as treaties between the same power and Great Britain, France, and Sardinia, respectively. The

treaties with those countries have been ratified and consular relations established, and with the former country, particularly, extensive business relations exist.

The treaty with this country, in the transcription, contained, through inadvertence, the expressions "the United States of North America" and "the North American Union" instead of the separate title of our country "The United States of America." And the period for the exchange of ratifications was found also to be too brief. This time was extended and these requisite verbal changes made in the treaty by the Senate of the United States when the same was ratified by them. The treaty thus amended was sent to President Lopez. He first declined any communication upon the subject, because the note addressed to him requiring the appointment of a commissioner to exchange the ratifications was not in the Spanish language. Subsequently Mr. Fitzpatrick was sent out as a special commissioner for this purpose. He explained the nature of the amendments and their necessity, and that they did not affect the meaning of the treaty in any respect. To this the minister of Lopez replied, not impugning in any respect the accuracy of Mr. Fitzpatrick's statement, and claimed that, as the President had once ratified the treaty as originally written, "it is not easy for His Excellency the President to submit to a new rattfication," and closes the correspondence.

The previous correspondence had referred to two other subjects, which the President has also considered in his message, and into which your committee have inquired, and concur fully with the President in his views of this recommendation concerning the same. The first of these is the attack upon the *Water Witch*. The facts in regard to this matter are these: This Government, through the Navy Department, in 1853, sent out the *Water Witch*, under the command of the then lieutenant, now commander, Thomas R. Page, to prosecute a hydrographic survey of the tributaries of La Plata, and to report upon the commercial condition of the countries upon those waters. The expedition was incidentally to make scientific researches and render assistance to the officers and citizens of our country.

It was received with peculiar favor by most of the people of those regions, and was so satisfactory to the Government of this country that its renewal has been authorized by act of Congress, passed at the last session, and the steamer built for this purpose sailed some time since. While the *Water Witch* was engaged in making this survey in the waters of the Parana, a boundary river between Corrientes, one of the provinces of the Argentine Confederation, and Paraguay, she was fired into by the fort of Stapera, on the Paraguayan side, hulled ten times, her steering apparatus shot away, and the man at the wheel killed. The *Water Witch* was at the time under the command of her first lieutenant, Jeffers, while Commander Page, with most of the officers and her best men, was engaged in exploring another of those rivers in a steamer furnished him by the American commissioner, hereafter mentioned. She, however, returned the fire; but in her disabled condition, at the mercy of the current, and with her small complement of officers and men, was obliged to retire from the contest.

For this attack there is no justification or excuse. It was intended, in the presumption of Lopez, to intimidate and expel the exploring expedition from those regions, and has been the subject of boastful messages of Lopez to his so-called congress.

The only reasons ever given for the attack are that he had, some year after the *Water Witch* had been in those waters, published a

decree forbidding foreign vessels of war to enter his rivers. English and French vessels of war now visit them. The place where the *Water Witch* was surveying was not under the jurisdiction of Paraguay. She was in waters over which the Argentine Confederation had at least concurrent jurisdiction, and in these she was engaged by authority of the published decrees of the Government of that Confederation, as well as by the direction of our own Government. She was, moreover, engaged simply in scientific investigations. With the President, we concur that this pretext can not be admitted as any excuse for this attack, and that it was an outrage which calls for satisfaction from the Paraguayan Government.

We have before stated that not only was the Government of our country the first to engage in the survey and exploration of those rivers, but our citizens were the first to send their commercial enterprises into those waters. And these enterprises have been blasted and destroyed with as little of reason or right, as have been adduced by Lopez, in his rejection of our treaty and his attack upon the *Water Witch*.

As early as 1845 the Government issued decrees inviting foreigners to bring to his country the implements, means, and processes of stimulating the industry of the country, and promising them the same privilege extended to inventors.

Under these special encouragements, and relying upon the protection of that Government while engaged in lawful enterprise, a number of American merchants sent three steamers, with a large variety of the implements of American industry, to that country, and employed there more than twenty Americans in putting them in operation. They purchased lands and rented buildings with the consent of Government, established cigar factories, and the first sawmill erected east of the Andes and south of the equator; built wharves and commenced the steam navigation of those waters. They employed large numbers of the people of the country, teaching them the processes of manufactures. But this success being for their benefit, and for the benefit of his people, but very indirectly enhanced the wealth of Lopez. It was not in accordance with the spirit of his monopolies, though he traded with the company to some extent. He first endeavored to induce the trained employees of the company to leave their service and enter his own. Failing in this, he published the most arbitrary decrees—among others, forbidding foreigners to meet, except for purposes of society or innocent diversion—thus, of course, putting a stop to business. Also forbidding foreigners to make contracts with peons, or servants, except upon terms notified to and accepted by the Government—that is, himself.

He also induced the people of the city, who, until the company excited his jealousy and displeasure, had treated the Americans with that grateful kindness which was natural toward honest and well-paying employers and benefactors, to change that conduct.

The Americans were exposed to the greatest contumacy, insult, and assaults in the streets and in their houses, which were the more incessant when under the universal protection of the police.

When their enterprise was thus broken up, and themselves compelled to leave the country, Lopez refused them passports and permits for their embarkation unless they would give up the title of their property, and not without the interposition of Commander Page would he withdraw his claim and allow them the possibility of escape to their own country.

These events occurred some five years since. Since that time, in a single year, 1854, 160 vessels arrived at Ascencion, and Lopez is carrying on a large and increasing commerce with England, and upon some eight steamers built in England, or by English mechanics in Paraguay, and operated by English engineers. Not an American flag or an American citizen, with a single exception, has been seen in Paraguay within those four years, nor, of course, in the waters of Bolivia; and, says our minister to Bolivia:

While our flag is shut out from the Paraguay and its tributaries, even from purposes of explorations, by the assumptions and policy of the Government of Paraguay, others are securing privileges which will operate to its exclusion for years to come.

While the conduct which we have detailed would, coming from any civilized power, be a cause of war, the feebleness of this power should not protect it from necessary measures to secure just satisfaction to the national honor and to the rights of our citizens. No necessity for the use of force will, in the opinion of the committee, ever exist; but a willingness and authority for its use must be, and then without Lopez will permit the expedition to proceed unmolested in its explorations and our citizens to prosecute their commercial enterprises through the waters of his rivers and adjoining countries.

We therefore recommend, following the precedents in our national legislation, the passage of the following resolution:

Resolved, That for the purpose of adjusting the differences between the United States and the Republic of Paraguay, in connection with the attack on the U. S. S. *Water Witch*, and with other matters referred to in the annual message of the President, he be, and is hereby, authorized to adopt such measures and use such force as in his judgment may be necessary and advisable, in the event of a refusal of just satisfaction by the Government of Paraguay.

Report of the exploration and survey of the river La Plata and tributaries, by Thomas J. Page, commanding United States steamer Water Witch, to the Secretary of the Navy, 1856.

WASHINGTON, D. C., *August 4, 1856.*

SIR: I have the honor to present to the Department the accompanying synoptical report on the late exploration and survey of the river La Plata and its tributaries.

To do justice to a subject so fruitful, to present clearly and comprehensively the present state and future prospects of those countries into and through which the operations of the expedition extended, their resources, physically and commercially, to exhibit the extent to which river navigation may be carried beyond its previously supposed limit, illustrated by accurately executed charts, and to contribute to the extension of geographical knowledge in determining the positions of regions of our own continent, whose places on our maps are no less in error than we, in ignorance of both country and people, would necessarily require a greater length of time than that elapsed since the return of the *Water Witch* to the United States, three-fourths of which have been occupied in the settlement of purser's accounts—a duty than which none can be more embarrassing, when combined with those of an expedition such as that on which the *Water Witch* was sent.

The Department is fully aware of the circumstances precluding the possibility of accompanying this sketch of a report with a reduced map or chart. This deficiency I hope to supply when I may be permitted to present a more detailed account of our operations.

The Department is also aware that a delay of several months attended the beginning of the work after the arrival of the *Water Witch* at Buenos Ayres—the initial point of operations—her services having been represented as indispensable to the success of important diplomatic negotiations entered into by our representatives near the Governments of Brazil and the Argentine Confederation, and that embarrassment of a grave character, involving the interposition of the *Water Witch* as a man-of-war in the protection of American citizens, circumscribed the action of the expedition to some extent, thereby excluding it from the exploration

of the tributaries of the Paraguay and of that portion of the Parana which lies above Corrientes.

Sufficient has been accomplished, notwithstanding these obstacles, to induce the sanguine hope that through the humble means of this expedition—sent abroad solely under the authority of the Department—there may result to this and those countries an important commerce, and to science valuable contributions in both geography and natural history.

I have the honor, sir, to be, very respectfully, your obedient servant,

THOMAS J. PAGE, *Commander.*

Hon. J. C. DOBBIN,
Secretary of the Navy.

WASHINGTON, *August 4, 1856.*

SIR: I have the honor to submit to the Department the following report, setting forth the progress and extent of exploration accomplished by the United States steamer *Water Witch*, during her recent cruise, under instructions from the honorable the Secretary of the Navy, to survey and explore the river La Plata and its tributaries. In addition to which instructions, I was accredited by the President, Mr. Fillmore, jointly with our ministers near the Governments of Brazil and the Argentine Confederation, or individually, to make a treaty of commerce and navigation with the Republic of Paraguay. When I arrived at Buenos Ayres, I was informed by our minister, Mr. Pendleton, that he had, some months previously, accepted the invitation of Sir Charles Hotham, the British minister, to accompany him to Paraguay, and at the same time, with the ministers of France and Sardinia, had concluded a treaty with the President of that Republic.

These intructions constituted my guide in the prosecution of the work assigned me, and I hope it will be seen that they have been carried out in the fullest extent of which the means at my disposal and the circumstances attending the work would admit. The Department having been informed from time to time of the progress of the expedition, it may not be advisable to withhold this preliminary report for the length of time which a more detailed account would render necessary. This can be made at some subsequent period, when the results of the work may be more clearly and minutely set forth and the good deducible therefrom more satisfactorily demonstrated.

The *Water Witch*, a steamer of about 400 tons burden, with a draft of 9 feet, sailed from Norfolk on the 8th of February, 1853. Although not adapted in all respects for the duty assigned her, she nevertheless was better suited to it than any other vessel at that time available; and, with an enlightened zeal for the promotion of commerce and the advancement of science, the Department availed itself of the limited means thus at its disposal to make to those objects a contribution which I trust will be found eminently worthy of its efforts and in fulfillment of its anticipations. The seal to the new waters which the *Water Witch* was destined to explore, and which had remained closed for so many years to navigation, under the peculiar government of Buenos Ayres, was broken by the liberal and enlightened policy of Gen. Justo J. Urquiza, provisional director of the Argentine Confederation, and by him the rivers were declared "open" to commerce. The Government of the United States promptly availed itself of this privilege, and has now the satisfaction of demonstrating to the world the navigability of some waters previously unknown and of others to a far greater extent than had at any time previously been imagined.

On the arrival of the *Water Witch* at Rio de Janeiro, I took occasion to represent, through the United States legation, to the Government of Brazil the object of the expedition, for the purpose of enlisting in its behalf the favorable consideration of that Government, knowing that it held territory on both banks of the river Paraguay, through which I hoped to be able to extend the exploration.

The following correspondence will show the result of my effort at that time. My letter was addressed to Mr. Ferdinand Coxe, secretary of legation, Mr. Schenck being temporarily absent.

UNITED STATES STEAMER WATER WITCH,
Rio de Janeiro, April 26, 1853.

SIR: The expedition on which the *Water Witch* has been ordered by the President of the United States, having purely for its object the advancement of commerce and promotion of science, objects interesting to all civilized nations, but more especially so to those on whose borders or into whose territories its operations may extend, I wish, through the legation of the United States, to call the

attention of the Brazilian Government to this expedition, with the hope that through its enlightened policy it may be disposed to forward the work with which I am intrusted whensoever its operations may border upon or extend into the territory of Brazil.

Facilities might be afforded and difficulties removed by the simple act of approval and commendation on the part of Brazil, of which her frontier and inland posts could be notified in advance of the expedition.

You are too well aware of the good likely to result from the work we have in hand to require any argument from me. I therefore leave the matter in your hands, with the hope that your efforts to advance the aim and object I have in view may succeed to our entire satisfaction.

THOMAS J. PAGE,
Lieutenant Commanding.

Mr. FERDINAND COXE,
Secretary of Legation, Rio de Janeiro.

LEGATION OF THE UNITED STATES,
Rio de Janeiro, April 26, 1853.

SIR: In the absence of Mr. Schenck, I have the honor to inclose to your excellency a copy of a letter just received from Lieut. Thomas Page, commanding the United States steamer *Water Witch*, now in this port. This officer has been ordered by the President of the United States upon the highly interesting and important duty of exploring and surveying all the rivers running into the La Plata, and it is not doubted that the results of the expedition will be of the highest importance to the commercial and scientific world and that Brazil, as bordering upon and at some points entirely inclosing the rivers it is proposed to ascend, will not be the nation least benefited by the operations of the expedition.

Your excellency will perceive, from Lieutenant Page's letter, that he asks from the Imperial Government such assistance in the object he has in view as may be given by orders of friendly cooperation to the imperial officers and agents he may meet when his operations may border upon or extend into the territory of Brazil.

Your excellency knows too well what these orders should be and to whom they should be given for me to do more than communicate Lieutenant Page's request, as I am confident that the enlightened views of your excellency will lead you to further the aim and object of the expedition by all the means in your excellency's power.

The *Water Witch* will leave here for Montevideo and Buenos Ayres on the 30th instant, and I will have much pleasure in forwarding any communication which your excellency may desire to send to those points; and I avail myself of the occasion to renew to your excellency the assurance of my high respect and distinguished consideration.

FERDINAND COXE,
Secretary of Legation.

To H. E. PAULINO JOSÉ SOAREZ DE SOUZA,
Of the Council of H. M. the Emperor,
Minister and Secretary of State for Foreign Affairs.

[Translation.]

FOREIGN OFFICE,
Rio de Janeiro, May 4, 1853.

I received, after some delay, the note which, in the absence of Mr. Schenck, was addressed to me by Mr. Ferdinand Coxe, secretary of legation, under date of the 26th of April last, inclosing a copy of a letter he had received from Lieut. Thomas J. Page, who, having been charged with the duty of exploring the different rivers, affluents to La Plata, asked from the Imperial Government all the assistance in its power, by means of orders and recommendations, for a friendly cooperation on the part of the respective authorities of the Empire. In reply I have to say to Mr. Coxe that the Imperial Government having opened to foreign commerce, in the river Paraguay, the port of Albuquerque, it makes no objection to Lieutenant Page carrying his explorations to that point, and will send the necessary orders to the president of the province of Matto Grosso and other imperial agents, that they may give to Lieutenant Page all cooperation in their power; but the Imperial Government not having yet opened to foreign nations other ports above Albu-

querque, and not having yet agreed as to the navigation of these interior rivers with the nations on their banks (*Nações riberinhas*), it can not permit foreign vessels to enter them, and thus establish an example and precedent which might be prejudicial to the Empire, as the right to the navigation of those rivers has not been settled.

I avail myself of this occasion to renew to Mr. Coxe the assurance of my esteem and consideration.

PAULINO JOSÉ SOAREZ DE SOUZA.

Mr. FERDINAND COXE,
Secretary of Legation, etc.

This unlooked-for opposition to the exploration of waters so entirely unknown to the civilized world was subsequently removed by the Imperial Government, and permission granted the *Water Witch* to explore such tributaries of the Paraguay River as were under the jurisdiction of Brazil.

The success of this application should be attributed to the zeal and ability with which it was advocated by our minister, Mr. Schenck, and Mr. Trusdale; notwithstanding the confident belief I entertained—judging from the profound learning of His Imperial Majesty and his devotion to the sciences—that all opposition would eventually be removed.

Political questions of old date relative to territorial limits had made the two Governments of Brazil and Paraguay jealous of their respective rights to the navigation of the Paraguay River. The latter Government claimed exclusive jurisdiction and asserted the right to prohibit the ascent of the Paraguay above Asuncion, the capital, to all nations; while the former claimed a way by water to her interior province, Matto Grosso. The navigation of the river was denied to Brazil with the hope of forcing His Imperial Majesty to terms on the question of limits. Angry discussions on these points for many years had finally terminated in the threatening spectacle of a formidable Brazilian squadron arrested in its ascent of the Paraguay by a battery of 100 guns, erected on the banks of that river. The two nations, brought thus in juxtaposition at the cannon's mouth, concluded it the more prudent plan to keep the ammunition in the magazines and settle their differences with the pen instead of the sword. Negotiations were consequently resumed, and resulted (as we learn since leaving the waters of La Plata) in the adjustment of the question of limits and the opening of the Paraguay to the Brazilian flag.

The interesting details involved in these matters can not be embraced in this circumscribed report.

On the arrival of the *Water Witch* at Buenos Ayres, the point in the river La Plata where the survey and exploration were begun, and in consequence of the very probable necessity for a place of refuge for Americans—arising from the impending attack upon the city from the besieging force under General Urquiza—I received the following letter from our chargé d'affaires, Mr. Pendleton, to which I felt every obligation to yield a willing assent:

LEGATION OF THE UNITED STATES,
Buenos Ayres, July 3, 1853.

MY DEAR SIR: I am aware of your great anxiety to proceed up the river in pursuance of the objects of the expedition under your command, and it is therefore with very great reluctance that I take leave to suggest to you that it is very desirable you should remain a few days longer in the port of Buenos Ayres.

Events of importance and of a decisive character in respect to the condition of this city and province are, in my opinion, at hand.

No American man of-war is in the river, Captain Downing, with the *Jamestown*, having suddenly, and without any correspondence or consultation with me on the subject, cleared out, as I have informally learned, to proceed to Rio de Janeiro for the alleged purpose of having his ship calked.

I would not make this request but for the strongest conviction on my own part that the events referred to are almost certain, and for the further fact that I am urged to do so by many American citizens resident in Buenos Ayres, and that I have also the concurrence of Mr. Schenck, who desires me to say so to you.

JOHN PENDLETON.

Capt. THOMAS K. PAGE,
Commanding U. S. S. Water Witch.

Happily the necessity for the presence of the *Water Witch* did not actually arise; but that request was followed by another, which caused a yet longer detention

before Buenos Ayres, to which it did not become me to turn a deaf ear. The following letter shows the circumstances attending the request and the importance attached to the participation of the *Water Witch* in the arrangements made by the foreign representatives:

LEGATION OF THE UNITED STATES,
Buenos Ayres, July 10, 1853.

SIR: We are engaged in some confidential negotiations at present, which are likely to result in an accommodation of the difficulties existing at Buenos Ayres between the parties to the civil war. There is no absolute certainty as to the event, but there is a sufficient probability of success to justify us in requesting that you will not leave the place for a few days. We make this request because it is a part of the present plan that the foreign men-of-war in port may convey the provisional director and his escort to the neighboring port of Gualaguaychu.

As important objects connected with our duties here are likely to be attained more readily by the participation of the United States flag in this transaction, we think it very important you should remain, there being no other United States vessel in port.

ROBERT C. SCHENCK.
JOHN PENDLETON.

Capt. THOMAS PAGE,
U. S. S. Water Witch.

The negotiations alluded to terminating in an accommodation of the difficulties and in an abandonment of the siege by the forces of the Argentine Confederation under the command of General Urquiza—in conformity to the request of our minister—the provisional director, together with his suite and military escort, was received on board the *Water Witch* and transported to the province of Entre Rios.

In the adjustment of these grave difficulties between the Argentine Confederation on the one side and Buenos Ayres on the other, the agency of our representatives, in cooperation with those of England and France, was of a character highly influential; and in the official communication of the participation of the *Water Witch* in the above transaction, made by Mr. Schenck to the State Department, her services were characterized on this and subsequent occasions as very material to the success of their negotiations with the Argentine Government. Neither were they of less importance in having laid the foundation of good relations, which were always manifested in the facilities offered our work, whensoever we were operating within the jurisdiction of the Confederation.

The appreciation of the expedition by the President (Urquiza) may be judged of by the following letter, sent to me after its objects had been made known to him:

[Translation.]

"Long live the Argentine Confederation.

"The provisional director of the Argentine Confederation.

"The American steamer-of-war *Water Witch*, from the United States of North America, having arrived in the river La Plata, and her captain, Thomas J. Page, having expressed his desire to navigate the rivers of the Argentine Confederation, for scientific purposes, I enjoin and command the authorities of the riverine provinces that they will not present any impediment to his exploration, but afford him all the assistance he may need or require.

"JUSTO J. URQUIZA.

"SAN JOSÉ DE FLORES, *May 27, 1853.*"

The principal affluents of the river La Plata—the Parana and Uruguay, with their tributaries—constituted the field of our operations; a field which, although vast in extent and partially closed to exploration, will, I trust, be found not to have been labored in in vain. Hidden and unknown as have been for ages past the rich resources of those countries watered by the above rivers, a condition not to be wondered at when we take into consideration the rule to which they have been subjected, it is not anticipating too much when we look for an abundant harvest as the result of our labors; a harvest not only of material value to the commercial community, but of some interest to the scientific. To demonstrate this position, which I assume for the late exploration of the tributaries of La Plata, does not lie within the limits of this report. It is a task which I hope to undertake and execute, though plainly and simply, in such manner as will exhibit

the field that is open to commercial enterprise, to the mechanical arts, to agriculture, and to scientific pursuits in geography and natural history.

At the distance of a few miles below the confluence of the Parana and Uruguay, and where they form the river La Plata, is the island Martin Garcia, whose commanding position is such as to have made it the subject-matter of treaty stipulations, by which its occupation or possession should, under no circumstances, authorize or give the power of obstructing the free navigation of those rivers. The importance of its position, however, has been much diminished by the discovery, in the late work of the *Water Witch*, of a channel heretofore unknown, whose depth of water is 2 feet greater than that of the old channel, and whose course forms the common boundary between two foreign States, Buenos Ayres and the Banda Oriental; thus depriving this island not only of its importance as a military station, but of the political character it has hitherto maintained, of holding the command of the channel of the Uruguay, and, consequently, of the Parana also. This may be assumed as the initial point of the exploration and survey, and as the Parana River presented the more extended and important field of operation, the labors of the expedition were first directed to that channel.

In explaining the manner in which the work was conducted, the Department will perceive that the best means of which it admitted were resorted to for the attainment of accuracy; and these were sufficient for the accomplishment of the object in view—the construction of charts from a "running survey," based upon, and checked by, daily astronomical observations.

The chronometers, five in number, had been selected by the Superintendent of the Naval Observatory because of their excellence, and it is gratifying to know that they sustained this character throughout our work as well as could have been anticipated. Their errors and rates were well determined previously to entering upon the work, in conducting which observations of the sun and stars were daily made, whensoever the weather would permit, for the determining of latitude, longitude, and variation. The distances between the points of observation were arrived at by reference to a uniform number of revolutions of the engine, which, from experience, was ascertained to be equal to a close approximation to a certain distance. Whatsoever erroneous estimate may thus have been made, it could not extend beyond the point of observation, so that there was always a check upon any error of judgment or irregularity in the speed of the steamer. There were, at all times, when the steamer was under way, two officers at work, exclusive of myself; one with the chart before him, projecting the course and distance, the width and depth of the river, with the topograph on either bank; while the other recorded in the notebook the same, together with all such remarks as were calculated to represent more clearly any peculiar characteristic. Soundings were taken at intervals of five minutes, when in deep water, but when in shoal water, as often as they could be had. The astronomical observations and their reductions were, at different periods of the work, conducted by Acting Masters Welch, Powell, Murdaugh, and Henry, to whom, in connection with Lieutenant Jeffers, who joined the expedition after Mr. Welsh's detachment because of ill health, the success of our work is mainly due as having "borne the burden and heat of the day."

The Parana discharges its immense volume of water into La Plata by the confluence of three of its principal branches with the Uruguay, and by a number of other branches of less importance communicating directly with La Plata, thus forming a delta of vast extent. The various branches susceptible of navigation were explored and surveyed.

The river was ascended through its main channel, in the *Water Witch*, up to the confluence of the Paraguay, about 800 miles from Buenos Ayres, when this latter river was ascended above that point about 900 miles, up to a Brazilian military post called "Corumba;" beyond which the expedition at this time was prohibited from proceeding by the Brazilian Government, for the reasons hereinbefore indicated.

The point of junction of these two rivers is about 22 miles above Corrientes, the principal town of the province of that name. Subsequently to the period now alluded to, the further exploration of the Parana—that portion of it yet unknown—was attempted; but the progress of the steamer was arrested by an assumption of unwarrantable exclusive jurisdiction by the Government of Paraguay over waters where the right was shared and the jurisdiction concurrent with the Argentine Confederation. The right to explore the river throughout the extent of the jurisdiction of the Argentine Confederation was vested in the *Water Witch* by an injunction from the provisional director, General Urquiza, on its citizens to afford the expedition every facility, aid, and assistance; and, on the other hand, there rested on the *Water Witch* the obligation to carry out the grant that had been made by this liberal and enlightened act.

The progress of the vessel, however, in her ascent of the river, while carrying out the instructions of the Department, and while acting not only by the permission but by the expressed desire of the Argentine Confederation, was arrested by the commission of an outrage on the part of the Paraguay Government, which I sought in vain to avenge. The means were ample and available; the mode and manner of using them clearly demonstrated; the authority full and unquestioned, and resting in the hands of one whose rank and position in the command of a squadron should be a sufficient guarantee that the honor of his country's flag is in safe-keeping when intrusted to him. The Department having been fully advised of all the circumstances connected with this transaction, I abstain from giving, in this report, a detailed statement of what I must ever consider a wrong, an outrage unavenged. It becomes me to state, however, in this place, that the unwarrantable course pursued toward the *Water Witch* was induced by the exasperated state of feeling on the part of President Lopez, of Paraguay, arising from the fact that in the discharge not only of the obligation imposed upon me by instructions, but by my duty as an officer, I had removed, by means of the *Water Witch*, from under his oppressive rule a number of American citizens, who located in that conntry for the transaction of commercial and other business, and having come under the ban of his displeasure, were treated in a manner not to be tolerated.

The time has elapsed when the indignity offered the flag should have been avenged, but I trust it has not passed when the Government of Paraguay shall be made responsible for the pecuniary losses sustained by those American citizens, and caused by an exercise of the most tyrannical power.

In ascending the river Parana up to the confluence of the Paraguay, the territory on both sides belong to the Argentine Confederation, with the exception of a portion of the right bank—about 145 miles in extent—which pertains to the State of Buenos Ayres. The provinces bordering the river are, Entre Rios and Corrientes on the left, and Santa Fe on the right bank, the northern portion of this latter province extending into "El Gran Chaco"—the home, and almost boundless domain of various tribes of inhospitable Indians. This is an extent of country embracing not less than 200,000 square miles; and notwithstanding it has been partitioned out by imaginary limits among the different States surrounding it—the Argentine Confederation, Bolivia, Paraguay, and Brazil—the Indian yet roams that vast domain in undisturbed possession. He sallies forth at times to rob the white man, and when pursued finds refuge in the immensity of this region, which he calls his own. The extent of pampa country—similar to our prairie—is well watered by streams whose navigability, in part, has been proved, and whose banks are well studded with timber and wood for fuel. The fertility of the soil is unsurpassed, and the grass, in luxuriance unequaled, affords rich pasture for innumerable herds of cattle, horses, sheep, etc.

On the opposite bank, in the provinces of Entre Rios and Corrientes, we find a sparse but hospitable population inhabiting a country rich in natural resources—save those of minerals—soil fertile, and susceptible of producing in great abundance the various grain crops, cotton, tobacco, and every variety of vegetable. From the interior of these provinces small rivers empty into the Parana, whose navigability, at certain seasons of the year, would afford the medium of easy transportation to market for all the products of the country.

The city of Parana, the seat of government, is one of the most important towns of Entre Rios, although not the most populous. In Santa Fe, the province immediately opposite, the chief towns are Santa Fe and Rosario—the latter being the principal port of entry of the Confederation. The population of this place has increased within the past three years in a ratio truly surprising, showing the effect of confidence in the recently established popular form of government.

Added to this may be mentioned, as an active stimulus to this influx of population into Rosario, the anticipated construction of the recently projected railroad from that place to Cordova. The route has been surveyed by one of our own countrymen, Mr. Allen Campbell, whose reputation in South America as an engineer is of the highest order, and whose favorable decision as to is practicability is quite sufficient to insure the connecting of the western with the eastern part of the Confederation by this iron bond.

In the prosecution of this survey it became necessary for Mr. Campbell to make a very thorough exploration of the river Tercero, which, under the name of Carcarana, empties into the Parana a short distance north of Rosario. To him I am indebted for information relative to this river of such a character as to preclude the necessity on our part of a closer examination than we had already made.

He says, "The Tercero is not navigable in its natural state, neither is it sus-

ceptible of being made so by artificial means, at least for any practical or useful purpose."

The construction of this road between Rosario and Cordova, together with the navigation of the river Salado, will contribute vastly to the commercial prosperity of the confederation, and not less to the perpetuity of its political existence.

There are many points in which the Parana and Paraguay assimilate to our western waters. Their course is from north to south. They have their periodical rise and fall, caused not by the melting of snow and ice, which influence the latter, but by the rainy and dry seasons of the tropical region of Brazil, in which they take their rise. The average rise of the Parana is 12 feet, which begins in December, reaches its maximum in February and March, and will be found at its lowest state in August and September. In the month of October there is a partial rise of 6 feet, called the "repunta," which continues not longer than one month, when it subsides again to its low state.

The *Water Witch*, with a draft varying from 8 to 9 feet, ascended the river during the month of September when it was at its lowest state, and experienced no difficulty from the want of a sufficient depth of water. Its channel is subject to changes during the season of increase. This, however, occasions no difficulty in the navigation of the river, because the vigilant pilot soon learns from experience in river navigation to discern by inspection the course of the main channel. The velocity of the current averages 2½ miles the hour. Owing to the almost numberless islands with which this river is studded, some of them many miles in extent, its width, in parts, from mainland to mainland is as much as 15 miles; but the width of the river proper varies from one-fourth to 1 mile. Its banks at the distance of 300 miles from its mouth toward its source are well covered with the best quality of wood for steamers, and they maintain this character throughout. Many of the islands are sufficiently elevated to escape inundation and offer an inexhaustibly fertile soil for cultivation, especially in rice.

On entering the Paraguay River at the point spoken of we have Paraguay on the left bank and still El Gran Chaco on the right. This river differs from the Parana in several particulars. Its period of rising is generally the reverse; it contains but few islands; is confined between narrow limits; is more easy of navigation, because less obstructed by shoals, and the course of its channel is less variable; its width from one-eighth to three-fourths of a mile; its velocity 2 miles per hour, and its rise is from 12 to 15 feet. In October it attains its maximum and in February its minimum state. From its mouth to Asuncion (the capital), a distance of 250 miles, there were found no less than 20 feet of water when the river had fallen about 2 feet. This depth of water remained unchanged for the distance of several hundred miles above Asuncion, and the *Water Witch* had ascended the Paraguay 700 miles above this place ere she found less than 12 feet. At this time the river had fallen several feet.

The admirable adaptation of these rivers to steam navigation can not but forcibly strike the most casual observer.

There are no obstructions from fallen trees, neither shoals nor rocks, to endanger navigation. At suitable points—in fact, at every point, in Paraguay particularly—an abundance of the best wood may be procured immediately on the banks; and, when populated, no difficulty will be found in obtaining a supply of it prepared for immediate use. By experiment carefully made 1 cord of the Paraguay wood was ascertained to be equal, in the production of steam, to a ton of the best anthracite coal.

The left bank of the river, up to the distance of 450 miles from Asuncion, is populated; but more and more sparsely as the northern frontier is approached. Between the most northern Paraguayan and the most southern Brazilian settlements, a distance of 250 miles, there is no habitation of civilized man. Various tribes of Indians were met with at different points, with some of whom we "held a talk," and parted on such friendly terms, because of the numerous presents we made them in trinkets and tobacco, that they became somewhat troublesome, following us along the banks on horseback, desirous that we should repeat the visit on shore.

The "cacique" and one of his tribe were induced to come on board the vessel. They manifested no astonishment, notwithstanding the novelty of all they saw, a steamer, an object to them incomprehensible, and the first to plow the upper waters of the Paraguay.

Between the town of Santa Fe and Fort Coimbra, the most southern Brazilian military station and settlement, a distance by the river of about 1,400 miles, there is not the residence of one civilized man on the Chaco side. In 1855 a colony of Frenchmen was established, however, a short distance above Asuncion, under the auspices of the Paraguay Government; but ere many months had elapsed it

fell into disrepute with President Lopez and was abandoned. The apprehension of inroads from the Indians up to this time so effectually excluded all settlement in the Chaco that, to the Paraguayans, the river which intervenes forms an impassable barrier and the country on its opposite side a "terra incognita." From Coimbra we ascended the river to Corumba, a distance of 120 miles. Intermediate the two places is the small village of Albuquerque. We had now reached the northern limit, Corumba, in latitude 19° south, to which our exploration of the Paraguay was circumscribed by the Brazilian Government, having passed through 15½° of latitude, in a direction generally north, and arrived at a point in the interior of South America very little short of 2,000 miles from the ocean by the course of the river. Judging from what I saw and heard, I have no doubt but that the *Water Witch*, at the season of high water, could have ascended 300 miles farther. Up to the point reached by the *Water Witch* steamers of 5 feet draft could ascend at all seasons of the year; and with a more suitable draft of 3 or 4 feet they could doubtless reach Cuyaba, the capital of the rich province of Matto Grosso, the frontier State of the Empire of Brazil, bordering on the Paraguay. This place, with a population of eight or ten thousand souls, will present an important market to commerce, should Brazil abandon her exclusive policy in river navigation and, with Paraguay, declare the navigation of the Paraguay River open to all commercial flags.

The most direct communication held by this place with other parts of the world is through Rio de Janeiro, over mountains passable only by means of mules, and through a distance of 1,200 miles. The Paraguay is now made known to the world as navigable into the very heart of her rich frontier province; and Brazil, having become awakened to the vast importance of such a channel of communication, has, I learn since leaving the waters of the La Plata, entered into a treaty with Paraguay for the right to the navigation of that part of the river passing through her territory, or, more properly, claimed by her.

This is a striking instance of the important results which will eventually flow from this exploration, and evinces the high appreciation entertained by Brazil of the developments arising from the ascent of the *Water Witch* into the interior of a country never before known to be accessible to steam navigation. The arrival of the *Water Witch* at Coimbra was hailed with lively enthusiasm, as the forerunner of a new era in the prosperity of that region, as the pioneer of its commercial intercourse with the world, "as an event worthy of commemoration by the erection of a lasting monument."

As this was the first fruit of the expedition, it necessarily awakened to a lively sense of its importance the slumbering energies of Brazil, the country most deeply interested in the facts established.

It becomes a pleasing duty at this part of the report to make my acknowledgments to the "comandantes" of Coimbra and Corumba for the very polite and hospitable reception extended to us. The whole district is under the command of the comandante of Coimbra, Antonia Peixoto de Azevido Ravim Capite, who controls an institution established at Albuquerque, which not only does great credit to the Government of His Imperial Majesty in its efforts to civilize and Christianize the Indians, but trains up, by its benignant tuition, the rising generation, which will in time to come form a formidable force, competent to protect and defend her distant frontier from hostile invasion.

The policy of Brazil toward these Indian tribes is both lenient and humane, and well worthy the imitation of any government under whose guardian care these children of the forest may fall.

I have stated that permission to ascend the Paraguay River beyond Corumba had been refused. I was consequently forced to abandon for the present its further exploration, hoping that on a more mature consideration of my application the Government of Brazil would yield its opposition. Permission was subsequently granted to explore all the tributaries of the Paraguay within the jurisdiction of Brazil; and, while anxiously expected, it reached me just on the eve of the rupture of my friendly relations with President Lopez, under whose displeasure the further exploration of all the waters of the Paraguay or the entry within the limits of her territory was prohibited by a formal proclamation.

Our work was thus excluded from the waters of Paraguay that had not been explored, and by the outrage before mentioned prohibited also from a further exploration of the Parana. Previously to this prohibition the exploration had extended a short distance up the Vermejo, one of the most important tributaries of the Paraguay, to which, by one of those arbitrary acts incident to a consciousness of power, President Lopez asserted exclusive jurisdiction, based upon a treaty not concluded, but rejected by the constituted authority. Concurrent jurisdiction is claimed by the Argentine Confederation with Bolivia as a question not admissi-

ble of discussion, and she even goes further in the extension of her claims to a large portion of the Chaco, many miles north of the Vermejo, thus sharing the Gran Chaco with Bolivia, and excluding Paraguay altogether from any right to territory on the right bank of that river.

Paraguay, however, asserts her claim not by right of possession, but through a sufficient force stationed near the mouth of the river, by which she controls its navigation and that of its tributaries.

It had been my aim and object to continue the exploration of the Vermejo and attempt that of the Pilcomayo, a river of importance to Bolivia and also to the commercial world if practicable of navigation, but the same proclamation which closed the Paraguay to further exploration closed this river also.

The time is not far distant when all such prohibitions will be removed; when, under the march of intelligence, exploration and its attendant developments will open the road to commerce, to the advancement of education, and to the establishment of the most amicable relations among the distant nations of the earth.

The President of Paraguay, with intelligence far in advance of what could be expected in a country whose existence should date from 1840, and the people of Paraguay, than whom there are none more hospitable or kind, are alive to the importance of commerce, and aware that by it alone can the budding resources of their beautiful and rich country become thoroughly matured and developed.

The country of Paraguay presents a field for enterprise of which other portions of the world are profoundly ignorant. Its population, secluded from the world until the year 1840, were ignorant of their own hidden treasures—not of diamonds and gold, but of the more substantial, the more reliable, products of the soil, which, aided by man's partial exertions, would yield a most abundant harvest. One of her natural products, the "yerba," has up to this time been the chief source of profit; but independent of these, as well as of the wealth centered in the herds of cattle which graze upon her extensive plains, it is the hidden treasure of her soil, it is agriculture—the basis of commerce—which she must cherish as the means by which she is to reach her destiny. Her mines of iron are of a superior quality, and although but partially tested give evidence of a supply far exceeding her own and the combined wants of the neighboring states.

At the distance of 38 miles below Coimbra, and in latitude 20° 10′ south, the river Bahia Negra empties into the Paraguay, on the right bank.

The entrance to the river and the immediately adjoining country constitute the entire territory which is yielded to Bolivia by the Governments of Brazil and Paraguay, their claims, however unfounded, covering the remainder of the right bank of the Paraguay from the mouth of the Vermejo. The *Water Witch* entered the Bahia Negra, and after ascending about 36 miles found the river closed by an impenetrable growth of grass, notwithstanding the depth of the water was 9 feet. The banks of the river here became lost and blended with the vast sea of grass rising above the water. The high lands of Bolivia, from whence this river rises, were too distant to be seen. Nothing save the mountains of Coimbra and Albuquerque, distant 40 miles, interrupted the boundless plain of grass seemingly floating on the water. Not only was our progress in the steamer arrested, but the grass so closed in the channel of the river as to render its further exploration impracticable with the boats. At the season of low water it is confidently believed that an opening of this river might be effected into a region of Bolivia called "Otuquis," which would give that State the nearest approach to waters navigable at all seasons, and thus render accessible to market the fairest portion of a country now shut out from the world.

The opening of such communication, which must naturally follow this exploration, I confidently look forward to, at no distant day, as one of its most valuable results. Public attention had already become awakened to the fact, ere the work had been completed, that this region of Bolivia was accessible to navigation.

Before leaving the waters of the Paraguay River a very thorough exploration of the country of Paraguay was made. This was performed principally by the aid of Lieutenants Powell and Henry, who, by means of the sextant, pocket chronometer, and artificial horizon, determined the position in latitude and longitude of many important points. By this work we are enabled to contribute to geographical science a degree of accuracy in position which this country does not enjoy at the present time. The agricultural districts, as well as those of the natural products, the "yerba," etc., were explored, and the mode of gathering and curing the "tea of Paraguay" accurately observed and noted by Lieutenant Powell. The interesting establishments of the Jesuits, under whose benignant rule the Guarany Indians were redeemed from a state of barbarism to civilization and Christianity, were visited and their geographical positions determined.

These establishments still retain in remarkable preservation evidences of the wonderful zeal, perseverance, skill, and ability of their founders, in the structure, carving, and painting of their churches. When it is remembered what the condition of the country was at the period of the erection of these buildings, with all that pertained to them; that it was a wilderness; that its inhabitants were savages; that out of this wilderness, and by these savages, these truly magnificent edifices were erected, and at such a distance from any civilized nation, one is lost in wonder and admiration at the will, the nerve, the zeal to attempt, and the intellect and skill to achieve such master works.

To give a faint idea of the course pursued by the order of Jesuits from the period of their landing to that of their expulsion, and of the results of their labors, which are so intimately interwoven not only with the history of Paraguay but with that of the Argentine Confederation also, would lead me far beyond the limits of this report. I must therefore relinquish it here for a more appropriate time and place.

Notwithstanding the narrow limits within which it is now kept, the cultivation of the soil was found further advanced in Paraguay than in the riverine provinces of the Confederation.

The population may truly be said to be an agricultural people. The policy of Francia threw them upon their own labor and made them dependent upon themselves for all articles of consumption. It drove them to the cultivation of the soil, at least to such an extent as to supply their individual wants; but it does not seem to have awakened or elicited either skill or ingenuity. With the least imaginable labor the earth brought forth her increase; and, secluded from the world as these people were by this restrictive policy, their infantile State had but few wants, and those were scantily supplied.

Time has changed for the better. Strangers are admitted into the country, the people are alive to progress, and the beneficial effects of that forerunner of all prosperity and intelligence, commerce, begin to be manifested in all their pursuits.

There is no trait of character more characteristic of the people of Paraguay than their hospitality to strangers. When we journeyed from one section of the country to another, whether on the frontier or in more settled parts, our movements were not only attended with perfect security, but our reception always with marked kindness. This country is open to the commerce of the United States. It presents a field in common with the Argentine Confederation, which, in its abundant harvest, should not be allowed to fall into other hands. It is peculiarly our own. The similarity in the character of the rivers of South America to those of our own country and the experience we have had in the construction of boats adapted to such navigation render our builders and our navigators more competent to supply and run such boats than any other persons on the globe. It has been said that the commerce of these inland countries—alluding especially to Paraguay—can never be carried on directly with either the United States or Europe under their own flags, because vessels suited to the sea could not navigate these interior waters. In refutation of this idea—an idea not to be very much wondered at when we consider the ignorance that prevailed relative to their capacity—I need simply state the fact that the *Water Witch*, a "seagoing steamer," a man-of-war, though small, of 9 feet draft, penetrated into the interior of South America to the distance from the ocean, by the river, of 2,000 miles. Ocean steamers of four times her tonnage may ascend these rivers nine-tenths of this distance at all seasons of the year, as their draft need not exceed 6 feet.

Previously to leaving the waters of the Paraguay two of its small tributaries were explored and surveyed, the Jejui and Confuso, the former in the small steamer by Lieutenant Ammen and the latter by Lieutenant Murdaugh. The Jejui rises in the mountains of Paraguay and forms the channel by which much of the yerba is conveyed into the main river, and thence to Asuncion. The Confuso, less important at this time, and requiring much labor to render it navigable or at all available, rises in the unknown regions of the Chaco and empties into the Paraguay about 60 miles above Asuncion.

The commerce of Paraguay in its extent and progress may be judged of from the follow statement, taken from authentic records. The increase in exports will exhibit strikingly the benefits resulting from the free navigation of the Parana and Paraguay—an increase produced solely by the native population, there having been no immigration into the country within the period embraced calculated to augment the amount of its products.

PARAGUAY.

Return of goods into Asuncion during 1854.

[These import duties are 20 per cent on articles of necessity and 25 per cent on articles of luxury. These duties are levied on a lower valuation than the real value of the goods, so that the total amount of importation may be considered to represent $700,000.]

Gray shirtings and drills	$112,559	Chairs	$360
Bleached shirtings and drills	41,645	Salt	12,437
Prints and muslins	103,878	Sugar	1,521
Shawls and handkerchiefs	51,740	Flour	1,235
Ticking and cotton pantaloon stuffs	12,794	Medicines	1,125
Twill	585	Glass	539
Thread	14,799	Fireworks	703
Bobbinet	1,559	Red beads	1,232
Book muslin	4,543	Unenumerated articles	77,233
Socks and stockings	400	Total amount in 1854	585,493
Woolen goods	68,697		
Silk goods	13,922	Amount imported in 1853	406,688
Ribbons	4,012	Amount imported in 1852	540,150
Hats	10,282	Amount of import duties in 1854	123,289
Ladies' dresses	3,096	Amount of import duties in 1853	56,564
Umbrellas	330	Amount of import duties in 1852	123,276
Boots and shoes	2,498		
Hardware	32,470		
Wine and spirits	7,295		
Books	2,034		

Exports from Asuncion during 1854.

[The number of vessels that arrived in Asuncion in 1854 was 160, with about 8,000 tons, of which 2 were British, 31 Paraguayan, 116 Argentine, and 11 Oriental. The export duty is 10 per cent on almost every article except starch, which pays 6 per cent. Of the exports of 1854, 82,882 arrobas of yerba, 2,074 pesedas of raw hides, 52,670 varas of timber, and 311 arrobas of horse hair paid no duty, being exported or sold by the Government. The value of these articles is about $300,000, leaving only $477,800 worth of produce exported by the trade, making a balance against the market of $222,500, assuming $700,000 as the actual value of the imports.]

Yerba, 85,676 arrobas *	$282,489
Tobacco, 103,868 arrobas	148,164
Cigars, 5,264 thousands	12,568
Timber, 80,313 varas	49,050
Raw hides, 38,957 pesedas	156,287
Tanned hides, 15,566 hides	66,650
Horse hair, 3,205 arrobas	9,833
Tan bark, 15,920 arrobas	2,719
Starch, 23,325 arrobas	10,596
Oranges, 266,893 almudas	11,288
Sweetmeats, 29,588 arrobas	19,086
Molasses, 30,668 asumbras	1,279
Sugar, 7 arrobas	20
Sugar cane, 35,600 cañas	53
Rum, 12,534 frascos	3,168
Maize (corn), 29,922 almudas	597
Rice, 54 arrobas	17
Beans, 3,394 arrobas	984
Meal mandioca, 706 arrobas	179
Ground nuts, 6,264 arrobas	1,164
Algarobilla, 775 arrobas	96
Paddles, 196 dozen	472
Bamboos, 3,724 dozens	235
Lime, 200 fanegas (12 almudas)	500
Earthenware	63
Total amount of exports in 1854	777,557

*Paraguayan measure: Almuda = 12 quarts dry measure: arroba = 25 pounds; frasco = 3 quarts liquid measure; asumbra = 34 pounds.

Exports from Asuncion during 1854—Continued.

Total amount of exports in 1853	$691,932
Total amount of exports in 1852	474,499
Total amount of exports in 1851	341,380
Amount of export duties in 1854	40,150
Amount of export duties in 1853	36,319
Amount of export duties in 1852	29,200
Amount of export duties in 1851	10,970

In addition to the articles of export here enumerated, there are other natural products—iron, dyestuffs, medicinal plants, timber of superior quality for shipbuilding and cabinet work, india rubber, etc., which will vastly augment the present amount of exports, so soon as the petty restrictions now imposed on commerce shall have been removed, a more liberal system adopted for the encouragement of immigration, and a more positive guaranty given for the security of private property. Advancements have been made toward the attainment of these objects since the death of the dictator, Francia, but their accomplishment has not as yet been achieved. It is but the work of time and that not very distant. In the progress which has marked the policy of the Paraguayan Government during the past three or four years, the influence of commerce, stimulated by the opening of the navigation of those rivers, and guaranteed by treaty stipulations, may be distinctly traced. Foreign enterprise embarked in the trade, and the construction of a small steamboat by the expedition (the first ever launched into the waters of the Paraguay) demonstrated to the Government its resources in part, and at the same time its want of the ability, skill, and enterprise to develop them.

These lessons were not lost on President Lopez. He purchased two steamers, and more recently built one on the banks of the Paraguay, near Asuncion, entirely of the wood of the country. For purposes of shipbuilding there are woods in Paraguay of superior quality, the most indestructible of which is the "lapacho."

The following list embraces the names of the woods of which specimens were sent home from Paraguay; among them are some of very beautiful color and fine grain: Lapacho, palo de rosa, morosimo, mataojo, aya, urunday, algarroba, guayaya, laurel negra, esencia, timboyta, curupayna—3 kinds, curupay, yrapipe, palo blanco, arihan, guayacan, espina de corona, laurel amarillo, tatara, quebracho colorado, quebracho blanco, palo santo (lignum vitæ), palma, namguapere.

In extending the exploration into the provinces of Corrientes and Entre Rios, those two riverine States of the Argentine Confederation lying east of the Parana, every facility was offered by the enlightened governor of Corrientes and by the authorities of every district of the two provinces into which we entered. Politeness and hospitality marked the conduct of the people of the country throughout.

Cultivation is on a limited scale. Grazing of cattle and horses is the principal source of profit to the estanciero, while jerked beef, hides, and tallow constitute the chief articles of export trade. Quantities of the hard woods are sawed and shipped from Corrientes, where there were being erected steam sawmills at the time of this exploration.

The northern part of the province of Corrientes is not adapted to cultivation, but suited to grazing. It is but little above the level of the river, and intersected in parts by small lagoons, which, forming a continuous chain, linked together by narrow creeks, present quite a picturesque appearance. In the northwest part of the province is the mysterious lake of Ibira, around which tradition has thrown a veil of religious awe, preventing all intrusion upon its stillness by the surrounding people. The islands with which it is studded are said by some to have been resorted to by the Jesuit fathers for the performance of some religious ceremony, and by others as the depositories of treasure, in which excursions none were permitted to participate but the fathers themselves. The real obstacle to a better knowledge of the lake and its islands arises, doubtless, from the difficulty of penetrating the extensive fields of grass which skirt the margin. It is the headwaters of many small rivers, the principal of which are the Corrientes, emptying into the Parana, and the Miriña into the Uruguay, both susceptible of navigation at certain seasons of the year. Of the two the Corrientes is the more important, not only because of its coursing through that portion of the province best suited to both agriculture and grazing, but because it empties into a river navigable at all times from their confluence to La Plata.

The province of Entre Rios, joined to Corrientes on its south, though limited in extent, is more largely engaged in the rearing of cattle, horses, and mules than any other of the Confederation. Its soil is fertile, and the best evidence of the excellence of its grass is to be seen in the superiority of its horses, cattle, and sheep. The stranger is forcibly struck with the absence of all cultivation, for

nature seems to have done all that man could require. Here the pioneer in agriculture has not to encounter the task of clearing his land of huge and lofty trees as with us; he has simply to turn up the virgin soil to the sun, plant his seed, and, with the smallest amount of labor, reap an abundant harvest. The cultivation of wheat in this province, though on a limited scale, has tested successfully the capability of both soil and climate. The channels of communication possessed by these two provinces for the transportation of produce to market are unequaled. The two united form the figure of a parallelogram—almost entirely surrounded by the Parana and Uruguay—and from their interior flow navigable streams, affording the means of communication at almost all points.

Blessed by nature as these countries are, there are wanting what alone can develop their resources—laboring hands, an agricultural population. Those now in power, whose efforts are for the advancement of their common country, are fully alive to this fact, and the most effective measures have been taken to induce the immigration of this class of people. Under the guaranty of stability of government, which it now seems to be the determination of the States to maintain, the flood tide of immigration will set stronger and stronger, as it has already begun, until the demands of the country are satisfied.

Suppose the resources of this Confederation alone fully developed, who can calculate, at this time, the product that would arise from them? And, what is worthy of serious thought and high consideration, who can estimate the future importance of the commerce which this development would create?

The River Uruguay, which bounds Entre Rios and Corrientes on the east and separates those two provinces from the Banda Oriental and Brazil, is navigable at all times for the distance of 250 miles, up to the Salto Grande. Here there is a ledge of rocks stretching across the river, and from its extending up the stream has more the character of rapids than of a fall. For a very short time in the year, during the month of October, the river rises to the height of from 15 to 20 feet, forming over the fall a rapid current, but of sufficient depth to allow of its ascent under an extraordinary steam pressure. Beyond the Salto the river again becomes navigable for small vessels of 5 feet to the distance of 100 to 200 miles. This Salto is, nevertheless, a barrier to the navigation of the river above, the period of high water being of so short duration. When the population of the country above shall have increased, and have felt the want of water transportation, they will see the propriety and practicability of ascending and descending this Salto by means of locks.

The scenery on this river, especially on the left bank—the Banda Oriental—far surpasses that of either the Parana or Paraguay. At the distance of 100 miles above its mouth the scenery on the right bank—Entre Rios—changes from the flat wooded to the undulating grassy, with skirts of wood here and there fringing its margin. But the left bank, the Banda Oriental, is beautiful throughout. The land is higher above the river, more rolling, with wooded ridges and grassy hillsides, gently descending into meadows of surpassing verdure. And yet this beautiful, fertile country, exclusive of its principal town, Montevideo, of 80,000 inhabitants, presents the sad spectacle of a waste. Civil wars have desolated the land, and even the city itself has become a battlefield. There remains no longer in the country the inducements to revolution, viz, cattle; but in the city there still remains the custom-house, with its rich store of bonded goods, for the protection of which often has it become necessary for foreign men-of-war to interpose.

The resources of the Banda Oriental, notwithstanding its having a market of its own, are as little developed as the most remote northwest provinces of the Argentine Confederation; and this is because men are not willing to work when they have no guaranty of security for the products of their labor. With the security of peace, this State would soon assume a very different aspect.

The progress of the expedition having been thus far imperfectly sketched through the rivers Parana, Paraguay, Uruguay, and to a short extent into such of their tributaries as were open to it, extending also through those States and provinces east of the rivers, it remains to describe its operations in the connecting of those with the River La Plata, in the exploration of the river Salado, and in the examination of parts of the provinces of Santa Fe, Cordova, Santiago del Estero, Tucuman, and Salta, whose future interests are immediately involved in the navigation of the Salado. The importance of this river to the western and northwestern provinces of the Confederation—assuming its navigability established—would occur forcibly even to the most casual observer who should cast an eye over the map purporting to lay down its course. The circumstances under which the exploration of the Salado was attempted were altogether discouraging. We were told by those who were supposed to be the best informed that we might possibly ascend about 45 miles; by some that it was no river, and by others that it took its rise in some of the numerous lakes commonly found in that region of country,

from which may be gathered some idea as to the extent of information obtainable on this and other subjects during the prosecution of the work.

To Lieutenant Jeffers, assisted by Lieutenant Henry, the charge of the *Water Witch* was committed with instructions to connect the work of La Plata with its tributaries by a detailed and minute survey. This work thoroughly executed resulted in the discovery, as has already been stated, of a new channel connecting La Plata with the Uraguay and Parana and passing east of the island Martin Garcia. It deprives this island of its commanding military position and gives to the Banda Oriental concurrent jurisdiction with the State of Buenos Ayres over the entrance to the tributaries of La Plata, a right exclusively claimed heretofore by the latter.

While thus employed the *Water Witch* performed most important services in rescuing the Spanish man-of-war schooner *Cartaginera* from a position in which she must inevitably have become a wreck had not such timely aid been rendered.

Having chartered a small steamer of 90 feet length, 26 inches draft, we entered the Salado with the following officers: Thomas J. Page, lieutenant commanding; William H. Murdaugh, lieutenant and acting master; William L. Powell, lieutenant and acting master; Robert Carter, assistant surgeon; T. B. C. Stump, assistant engineer, and a crew of 22 men.

The country through which we were about to pass was in the undisturbed possession of tribes of Indians known to be very savage. It became necessary, therefore, to be prepared to make a defense against their attacks.

This river takes its rise in the western Cordilleras of the province of Salta, and after a very tortuous course, under the general direction of southeast, empties into the Parana at the town of Santa Fe, and offers to the still further western provinces, Catamarca and Rioja, the most direct and cheapest channel of communication. Its ascent was begun at the season of low water, in July and August, notwithstanding which the river was in its lower part unusually full, but falling. After reaching the distance of 360 miles from its mouth it was apparent that in this part of the river the water had fallen from 12 to 15 feet, and was still falling slowly. I continued on, until finding but 2½ feet water determined to return and proceed by land to the upper waters; thence to descend the river, if it were possible to procure or construct the means of so doing. In our progress with the steamer we had ascended the river but a short distance when we reached what may be called the frontier military post of Santa Fe, although far within her limits, located here as a check against the further encroachments of the Indians upon the estancias in the immediate vicinity of the town of Santa Fe.

The flat lands immediately adjacent the river extend from 1 to about 5 miles in width, forming a "river bottom," well wooded and densely covered with grass, from which the more elevated land, skirted with timber of superior quality, rises gradually to a level with the surrounding pampa. The growth on the river bottom and immediately on the banks is of excellent quality as fuel for steamers, and may be had in great abundance. In its green state we experienced no difficulty in keeping up the requisite quantity of steam.

The character of the country is very much the same as that throughout the Gran Chaco, an alluvial formation, with the deposits for ages of decayed vegetation reproducing from year to year the most luxuriant growth of grass.

One can not pass along this river without giving utterance to the regret that such beautiful localities should be unoccupied by the hospitable dwelling, or that nature's bountiful bestowal should remain a blank, a wilderness, as little appreciated by the savage man of the pampa as by the wild beast of the forest.

We had progressed several hundred miles beyond any habitation and entered some distance into the country possessed by the Indians, but encountered none of them. A herd of wild horses was seen, containing more than 100. The country in the vicinity abounds in animals, such as the tiger, deer, and wild goat; the lagoons in ducks, geese, and swans; and the river in fish of great variety.

Specimens of these were secured whensoever it was possible to do so.

Having ascended as far as was practicable with the steamer at that season, as has been stated, I returned to Santa Fe, dispatched Mr. Powell in charge of her to survey the Paranacito and Pabon, branches of the Parana, and proceeded by land, accompanied by Mr. Murdaugh and one of our most trusty sailors, to the upper waters of the Salado.

In facilitating our movements Señor Cullen, governor of Santa Fe, promptly put at our service all the requisite means at his disposal. As we were about to pass into the province and town of Cordova by a route very little frequented because of the Indians, the governor proffered us the protection of a military escort. The insecurity in traveling on this route made such precaution absolutely necessary. It was therefore thankfully received.

Our road through Cordova was not the most direct route to Santiago, the point

aimed at, from which we were again to enter the Salado, but the only route along which the means of travel could be procured after leaving the province of Santa Fe.

To give an idea of the endurance of the horses of the Argentine Confederation, I should state that for five days consecutively I rode, between sunrise and sunset, the distance of 105 miles, changing horses at the postas, distant one from the other from 12 to 24 miles. On one occasion Mr. Murdaugh and myself, accompanied by our escort, rode 120 miles in twenty hours, not changing horses, and on the same horses continued traveling during the two succeeding days, resting and feeding the horses on the natural grass of the pampa during each night. The horses during the time of traveling were never permitted to drink.

Arrived at Santiago, after a journey of 600 miles, we were most kindly received by the governor, Don Manuel Taboada, and became the guests of his house. His hospitality and kindness, as well as the very polite attention of his whole family and friends, deserve our most grateful thanks. Having learned the object of our visit, he desired not only to furnish a boat manned and associate with us his brother, but also to accompany us himself by land, with an escort of 80 soldiers as a protection against the Indians, who were known to be at different points of the river in considerable numbers. All was soon made ready. The boat was transported by oxen a distance of 40 miles to the point at which we wished to enter the river and launched upon the waters of the Salado under the national flag of the Confederation, presenting a scene as interesting as novel to the surrounding spectators.

Don Antonio Taboada accompanied us in the boat. His good company, perseverance, and zeal to carry out our plans tended in no small degree to their success.

While descending in this boat and before leaving the inhabited part of the river—for it must be remembered that the part unknown and in the possession of the Indians is about 400 miles intermediate with the settlements of Santa Fe and those of Santiago—some of the people on the river side, through fear or ignorance of what our boat might be, freighted with human beings, would make most precipitate flight into the woods, imagining it some demon garb assumed by their ever-persecuting enemy, the Indians. A detailed account of the exploration, accompanied by the various incidents to which it gave rise, however interesting it might be, would protract this report beyond its prescribed limits.

The descent of the river was continued with difficulty at times, arising from overhanging trees and those fallen from the banks; and having proceeded for many days, occasionally encountering obstacles of this kind, I found that the delay in our progress was unnecessarily great. Inasmuch as the character of the river was fully comprehended and its obstructions clearly understood, I therefore determined to proceed by land with the party attending us, seeing that from the nature of the country a sufficiently thorough examination of the river could be made in that way. The country presented one uninterrupted plain, with this river meandering through it, its course, width, and depth having the uniformity of an artificial canal, marked out by the growth of the woods skirting its banks and sufficiently open at every point to admit of approach and of travel along its margin.

More than two months had elapsed since the ascent of the lower part of the river in the small steamer; and already, by the early setting in of the rainy season in the province of Santiago, had the river become swollen to such an extent that at no point from whence we abandoned the boat was there found less than 6 feet water, showing that the low state of the river throughout the distance of 700 miles from its mouth continued not longer than two months of that year, 1855. In this whole extent, from Santa Fe to a point, Scandia Paso, 33 miles be ow Bracho, the eastern frontier post of Santiago, there are no obstacles to safe navigation, even at this time, save here and there a fallen tree at intervals of great distances, which could be removed by an ordinary boat's crew. At Bracho the river becomes merged in a lake covered with a growth of flag, which, at the low state of the river only, would present a formidable obstacle to navigation, as it is at this time, but which could be easily removed.

These obstacles will doubtlesss be removed by the General Government. In the province of Santiago alone, where they exist, the enthusiasm of the people is so great that with the ordinary ration, and a daily allowance of tobacco and maté, the work could be accomplished in one season, and the navigation made uninterrupted for 600 miles by the shortest land route from Santa Fe. Throughout the whole extent there is not an obstruction which may not be removed by manual labor, without the cost of machinery or calling into requisition the science of engineering. There are neither rocks nor shoals.

Having become satisfied of the practicability of rendering the Salado navigable during the season of high water from Santa Fe to the distance of 900 miles by the river—600 by the route now traveled and 400 in a right line, up to within a short distance of the point at which our boat was launched—the exploration was extended through the provinces Tucuman and Salta, up to the capital of the latter,

under the same name, by one route, and on our return by another; Mr. Murdaugh coursing along the river, descending it from a point called Mira Flores to that at which we entered the river in the boat, while I pursued another route. The result of his examination of this part of the river may be given in the words of his journal:

"There would be some difficulty in the navigation from Mira Flores to San Miguel because of the rapidity of the current arising from the fall in the level of the land. It is also interrupted in that part by sand banks. From San Miguel the river becomes confined within high banks, well wooded, level country, but little current, width greater than below, perfectly clear of obstructions, well inhabited, country beautiful, but little cultivation—some wheat."

He speaks in pleasing terms of the hospitality extended him by the inhabitants of the country. Although so far removed from the usually traveled route, they had heard of the success attending the exploration of this river; that of a truth it mingled its waters with those of the Parana and contributed to swell La Plata—a truth which filled them with the most lively anticipations of the future.

This additional distance extends the navigation of the Salado to about 150 miles, by land, above the point at which the boat was launched, thereby giving to Tucuman and Salta the benefits of river transportation for their merchandise and produce. In these benefits the more western provinces, Catamarca and Rioja, will also participate, although not so directly.

Their mines, by this mode of transportation, will no longer remain valueless. They will contribute their share, amidst the developed resources of the country, to swell the bulk of exportation in products for which at this time and under the existing state of things there are no means of transportation.

In claiming for this expedition the discovery of the navigability of the Salado, I am well aware that there has been a tradition that the Salado was navigable up to Matara. The absence of all confidence in this idea, however, was so prevalent—I may say universal—that it was at no time followed up so as to establish its truth. On the contrary, when the attempt was first made to test it, the reports which reached us were very discouraging.

While descending the Salado we encountered hostile Indians at two different points. They were attacked by our escort, and, considering the odds so much in our favor, they defended themselves most gallantly, and at times, after their usual mode of fighting, would make a dash with considerable effect. They were mounted and armed with the lance. Their expertness with this weapon and their management of the horse are scarcely equaled by the Gaucho, their civilized enemy. There were recovered from them two or three hundred head of cattle and as many horses, which they had stolen but a few days previously from the "estancias" and poor people living along the Salado.

The privation and exposure we experienced throughout this exploration, not only of the Salado but of the country somewhat in the interior of the provinces, were calculated to try our physical endurance and test our zeal and energies even in a cause of such deep interest and importance. We nevertheless found ourselves relieved from the fatigues of the day after a night spent upon the soft grass of the pampa with the canopy of heaven our vaulted roof. The rain would descend with tropical force, but our india-rubber ponchos seldom failed to secure us refreshing sleep. The dawn would find us, though wet, prepared for the toils of the day. The life was one of health and vigor. Never were our physical energies more nerved to meet and overcome toil and privation. Weeks and months thus passed away, and had the time been doubled and the exposure greater so happy a termination of our labors would have amply compensated for all such endurance.

The exposure incident to works of this character is calculated generally to give a correct idea of the health or sickness of the country in which they are prosecuted. And such was the unusual absence of sickness among both officers and crew of the *Water Witch*, notwithstanding the exposure to which we were subjected, that we are constrained to pronounce Paraguay and those provinces of the Argentine Confederation which constituted the field of our operations the healthiest region we have ever visited. Its proximity to the Tropics, and physical character, judging from analogy, might, on a superficial knowledge of it, convey a very different idea.

In giving this as an opinion we do not judge solely from the effects of the climate on our exploring party, but from facts indisputable. In Paraguay there is no practicing physician. Nature provides a remedio for every disease in the medical plants which are to be found throughout the country, and few there are who do not know the peculiar virtue of each one. Among the botanical specimens collected in Paraguay alone there are sixty-six varieties of medicinal plants, and yet the collection is incomplete in this branch. It is not an uncommon occurrence to meet with aged persons who will say they have never been sick. In the province

of Santiago del Estero there is no professional physician. One will often hear the remark, "there has never occurred in Santiago a case of intermittent fever," and, so far as our experience goes, it tends to verify the statement. It was in this province that we tested our own powers of physical endurance, and at the same time the health of the climate, by the exposure to which we were subjected both by day and night. During the greater portion of the year the country people sleep in the open air, never "indoors" unless driven in by rain.

This condition of climate prevails, although in a less degree, throughout the confederation, and notwithstanding the limited demand for medical services, it is by no means supplied in the cities of Cordova, Tucuman, etc., where the practitioner would have his surgical skill as often called into requisition as his practice of medicine, and where the people, entertaining a just appreciation of such services, are punctual and liberal in rewarding them.

Before leaving this imperfect sketch of our work in this region of country, I should not only do violence to our feelings, but injustice to others, were I not to make a formal acknowledgment of our high appreciation of the hospitality and kindness extended to us, not only by persons of the highest official position, as governors of the provinces of Santa Fé, Santiago, Tucuman, and Salta, but by gentlemen and families in their private circles, whose attentions will ever be recalled with emotions of the most pleasing character.

The following extracts from the Government papers will in part show the enthusiasm felt in some sections of the confederation on the subject of the navigation of the Salado, and in truth they may be looked upon as expressing the feelings of the whole country:

[Translated from the Argentino Independiente of Tucuman of October 3, 1855.]

"We have among us two distinguished guests, Captain Page and Lieutenant Murdaugh, of the North American Navy. We hasten to salute and welcome these gentlemen, for whom Tucuman entertains the most lively sympathies, it being well known that these gentlemen, with a degree of intelligence, energy, and perseverance beyound all praise, are engaged in the exploration of our interior rivers. This enterprise could not have been intrusted to a more suitable person than Captain Page. It appears that no difficulties can deter him from accomplishing his undertakings. He has already achieved the triumph and glory of being the first who has penetrated and subjugated by steam our deserts. We hope that powerful agent of modern civilization will soon directly influence the advancement and civilization of this Republic.

"The Government, duly appreciating the important services which these distinguished officers of the American Navy confer on the country, and regarding the recommendations from the National Government, has in honor of these gentlemen given a splendid banquet, at which were assembled our most distinguished citizens," etc.

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[From the Argentino Independiente of November 10, 1855.]

"According to the information concerning the Rio Salado which has been given to us in various extracts of letters forwarded for publication by the minister of government, Don José Posse, we can say that the navigability of the Salado is now an established fact. We are lost in wonder and admiration when we consider this achievement, and the revolution socially and commercially it is destined to work out in the condition of these provinces. The rich and varied products of Tucuman will no longer be confined within her own borders, but will be transported, by means of the Salado, to seek a market in other provinces of the confederation, or in some foreign land," etc.

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[From the Comercio de Salta.]

"We announce, with pleasure, the arrival in this capital of Captain Page and Lieutenant Murdaugh, of the United States Navy.

"It would be unnatural in a Tucumano not to entertain toward these gentlemen the warmest sympathies. The service they have rendered to the country in revealing to us the existence of a navigable river in that region which, until recently, we regarded only as a desert, to be feared because of its savage tribes, is inappreciable. Our mind, preoccupied with the political events which, during forty years, have rent our bosom, appears not to comprehend, even now, the

importance of this species of conquest. There remains no doubt that the Salado is navigable up to within the province of Salta.

"The illustrious North American Government, to which we are beholden for this discovery, can always rely on the gratitude of loyal 'Argentinos,' and Captain Page and Lieutenant Murdaugh, explorers on the part of that Government, leave with us remembrances that will immortalize their names. To the perseverance and energy of these intelligent naval officers are due, in an eminent degree, the advantages which the western and northwestern provinces of the confederation are about to realize from the navigation of the Salado," etc.

These extracts are sufficient to show the appreciation of our labors in the Argentine Confederation.

The collections in natural history made by the officers, alone, under discouraging circumstances, will, I hope, be found worthy of presentation to the scientific world. The officers generally, as is stated, aided in the collection; but the services of Dr. Carter in this branch of our work contributed most materially to its success. In devoting a few words to this collection, I will use the language of one of our most distinguished naturalists, as expressed in a note to me:

"The collections in natural history obtained by the *Water Witch* are very comprehensive in character, embracing specimens of quadrupeds, birds, reptiles, fishes, insects, crustacea, shells, minerals, plants living and dead, with seeds and sections of wood, fossil remains of fishes, etc. The aggregate is one of great magnitude, and may safely be said to constitute by far the largest collection ever made in South America by an American expedition. Notwithstanding the difficulties of preservation consequent upon the hot, moist climate, the specimens brought home are all in the finest possible condition. The collection is especially rich in the larger birds of Paraguay—in the hawks, eagles, ducks, geese, macaws, curassows, etc., several of which are believed to be new to science, and few of them previously brought to the United States.

"Some interesting quadrupeds were also procured, as the jagua, the nutria, so well known in the fur trade, the capybara, the armadillo, various species of deer, monkeys, etc. Specimens of the two first-mentioned animals were brought home alive, and sent to the Government Asylum for the Insane. The collections of reptiles and fishes of the region explored are believed to be much more complete than those of any previous expedition."

They embrace specimens of nearly all the various serpents of Paraguay. Among them are some formidable species of the families of the rattlesnake and copperhead.

"The fishes are in very great variety, and will illustrate the formidable and rapacious character of all the inhabitants of the fresh waters of South America, in being universally provided with sharp, cutting teeth. A considerable proportion of all these are believed to be undescribed, as also of the invertebratæ."

I regret to say that several of the living animals previously sent home from Paraguay, as the tapir, capybara, coatimundi, with two or three birds, either died on the way or after their arrival in the United States. It was found almost impossible to preserve, in a proper condition, dried plants, although a large number was collected; also seeds and some living plants, some of which are now growing. Particular attention was paid to those of special interest.

The large collection of woods of Paraguay, in sections, will be found not without interest.

In concluding this synopsis of the report, which, with the permission of the Department, I hope to make more in detail at as early a period as possible, I will state, in a few words, the extent of survey and exploration accomplished by the expedition in the tributaries of La Plata, and in the countries adjacent, or immediately interested in their navigation.

The survey embraced an extent of river course of 3,600 miles, and of actual exploration or travel by land of 4,400 miles. These waters are open to the American flag and their territory to American enterprise.

He who established, at the downfall of Rosas, that free and independent government, the Argentine Confederation, based upon principles identical with those of our own Constitution, has unsealed the mouths of these rivers, opened them to commerce, and holds out inducements to immigration on terms of the most enlightened and liberal character.

The progress made in those countries even during the short period of the operations of this expedition—the constitutional government having been established in 1853—was too manifest to escape the most uninterested observer: an advance toward good government, a progress intellectually and morally, in three years far exceeding what had been accomplished during three hundred previously, demon-

strating practically the wonderful blessings of peace and good government over civil wars and despotism.

No portion of South America has so largely occupied the attention of European statesmen within the last twenty years as the States of La Plata; and my opinion of the immense resources of this country are more than sustained by those of some of the most eminent men of Europe.

With the navigability of her great interior water courses once established, La Plata will have received the development of centuries, and we may safely anticipate the tide of immigration which will set into those countries; and, without being visionary, we foresee a future development which in the history of the world will only be surpassed by the growth of the United States of North America. In offering to immigration and to trade the temptations of a country even richer in all natural, mineral, pastoral, and agricultural resources than the great basins of the Oronoco and Amazon she offers a climate genial and unrivaled for its salubrity, and a population sufficiently large and advanced in civility to form at once the basis of extensive commercial operations.

Brossard, a French diplomatist, in a recent work upon La Plata, says, in writing on the immigration from France into that country: "In 1838 the number of French registered at the French consulate at Montevideo amounted to 5,000; at the end of 1842 it had increased to 9,000. But it must be remembered that this register embraced only adults, and the best authorities compute the whole number, inclusive of women and children, at not less than 15,000. During the first months of the year 1841 there arrived at Montevideo more than 3,500 persons from the Basque provinces, and it is estimated that not less than 28,245 European immigrants arrived from 1838 to the close of 1841."

It must be remembered that this tide of immigration flowed in when these countries were distracted by civil wars and revolutions, which have given place to more settled governments and commercial treaties with the United States and some of the great powers of Europe; treaties which have opened to the world countries less known than Japan, and offering a much more extended and varied field for commercial enterprise. Some of these countries have, by recent acts—by donations of land, etc.—offered great inducements to immigration; indeed, they have entered into arrangements with agents to promote the transportation of immigrants upon the most favorable terms.

We can only imagine what they may become when the results of our explorations are made known.

We, as before stated, have ascertained and established the navigability of the river Salado to the distance of 800 miles—never before passed over by the white man—and have, for the first time, exhibited upon the waters the great lever of modern civilization—steam. It waters a country unrivaled in the beauty of its scenery, the salubrity of its climate, and the riches of its natural resources: and brings into communication with the Atlantic some of the richest and most populous provinces—Santiago del Estero, Tucuman, Salta, Jujui, etc.—whose products have heretofore been conveyed to the port of Rosario by ox wagons, occupying a period of ten months to go and return, but which can now by boats reach the same port in fifteen days, and a return cargo of merchandise be made in twenty-five.

Even the Indians, who have heretofore made hostile descents upon the few settlements along its banks, might be made, by kind and judicious treatment, powerful agents in developing the agricultural resources of the country.

On some of the "estancias" of the Argentine Confederation this experiment has been made with success.

Our explorations upon the Paraguay have extended 700 miles beyond any previous navigation, and our labors have been made the "subject" of a highly complimentary notice before the Royal Geographical Society, by Lord Ellesmere and Sir Charles Lyell.

A part of the ancient empire of the Incas—the State of Bolivia—has vital interest in the results of this exploration. Possessing but one indifferent port on the Pacific, and this separated by the Cordilleras of the Andes and the desert of Atacama, 80 miles wide, from the interior, it is only by her rivers communicating with the Paraguay that the wealth of her mines and the fruits of her forests, teeming with many of the products of the Indies, can be brought into the trade of the Atlantic.

From being one of the best populated, as well as the richest, of the South American States, a field is at once opened for the manufactures of Europe and the United States. At simply a nominal expense, when we look to the vastness of the interest involved, might she effect this outlet into the Paraguay, through the river Otuquis, now obstructed by a dense growth of grass. This outlet is practicable; and when civil wars shall have ceased to distract the nation, Bolivia will find, in the improvement of the navigation of this river into Bahia Negra, an

enterprise worthy of her whole energies; for, by its accomplishment, she forms a channel of communication with the Paraguay practicable at all seasons of the year.

Paraguay promises a lucrative commerce to any people that may become engaged in it, producing tobacco of a very superior quality, hides, yerba, cotton, medicinal plants, dyestuffs, and a large quantity of woods for shipbuilding and ornamental purposes; but above all, so superior is the quality of her tobacco, to which both climate and soil seem peculiarly adapted, that it would become an article of extensive trade. She would seek eagerly, in return, salt and manufactured goods.

In ascending the Paraguay, 2,000 miles from the Atlantic, in an ocean steamer—a man-of-war—we have reached the frontiers of some of the richest provinces of Brazil, provinces whose products had before no outlets but the port of Rio Janeiro, a port reached by a laborious, dangerous, and costly land travel, over mountain paths, inaccessible but to the sure-footed mule.

Brossard says that those who regard the future development of these countries as chimerical must only glance at the prosperity of the United States of North America, which, fifty years past, were more thinly populated, and possessed a climate less genial and salubrious, and a soil less rich in its varied products.

It may seem a strange assertion, and yet it is true, that the history and resources of La Plata are better known to Europeans than to the inhabitants of the United States; and the statesmen of the leading powers of Europe have for many years made this portion of South America an object of active interest. Europe has been represented there by her ablest diplomatists. Walewski, Lord Howden, Baron Gros, Mr. Gore, Sir Charles Hotham, M. St. George, etc., have successively, for the last ten years, represented their governments there.

Even Austria, though not a maritime power, was the first European government to acknowledge the independence of Paraguay. Proverbially sagacious and far-seeing as her statesmen are known to be, they have doubtless discovered in La Plata a healthful outlet for the disaffected population of the Lombardo-Venetian States.

M. Guizot comprehended equally the importance of opening the countries of this great basin to European enterprise. In a dispatch to M. de St. Aulaire, then the French ambassador at London, he says, in writing of the intervention of France and England in the affairs of La Plata: "We must ask, as an accessory consequence of our intervention, the application of the principles established by the Congress of Vienna for the free navigation of rivers," in relation to those which, flowing from the frontiers of Brazil and Paraguay, throw themselves into the Atlantic.

M. Thiers, in a speech before the legislative assembly of France, delivered January 6, 1850, says of the commerce and brilliant future of La Plata:

"Your trade with the two Americas is enormous—larger than with any other region of the globe. It represents nearly five hundred millions, of which North America absorbs the greater part. Of these five hundred millions, North America receives three hundred and fifty, South America one hundred and fifty, which is not quite a third; but you deceive yourselves strangely if you appreciate this hundred and fifty millions of commerce only by the cypher by which it is represented. The trade of North America, which apparently presents such great advantages, and which you guard with such solicitude, has two great drawbacks: First, it is exposed to the tariff, which the manufacturing classes (parti industriel) demand. * * * Secondly, they have the advantage of you in navigation. * * *

"Now, let us look at South America: You there trade with nations whose growth surpasses even that of North America. The census of North America represents the population as doubling itself nearly in twenty years. I can prove to you that there are States in South American where the population has tripled in twelve years.

"The trade of Brazil has advanced in ten years from a little less than thirty to sixty millions; the trade of La Plata has advanced in twelve years from between four and five millions to forty millions.

"You may judge from this of the progress of trade in those countries.

"Again: I am profoundly convinced that without this war, which your energy can alone terminate, the trade of South America—and I speak without exaggeration—will reach to two hundred millions.

"Again, you encounter there no manufacturing party (parti industriel). She can not menace you for a long period with the industrial rivalry which now threatens you in the United States. The people of South America are at best an agricultural people; and lastly, you have the certainty that your flag will there develop itself immensely; and there is only that region for its development (et il n'y a plus que cette region pour le developper)."

In a memorial addressed to the King of Prussia, advocating the establishment of a line of steamers with South America, the views of Thiers, for France, are applied to Germany. The writers say:

"Brazil will never become a manufacturing country, and the products of Germany will there, in all time, or forever, find an assured outlet or market. After Brazil, the States of the Rio de la Plata merit the greatest attention among the countries of South America, and an extended commerce with Brazil will secure to Germany relations with these States. The vast territories which form the basin of the Parana, the Paraguay and the Uruguay, and their tributaries, contain the elements of a prosperity and wealth the most varied. What a future do these countries not offer?

Will not the United States enter her claim for some portion of the much-coveted trade with these countries, forming a part of our own hemisphere?

While benefiting by our recent explorations and surveys of the tributaries of La Plata neighboring and weaker republics—thus developing their resources we have opened for ourselves a vast field for trade in all the products of temperate and tropical zones; and these, with the hidden wealth of the frozen regions of the Andes, will find a rapid and safe river transit to the Atlantic. Protected by the flags of the great maritime powers, this excess of wealth will be poured into the lap of nations. We can apply to ourselves with equal force the arguments of Thiers and the German memorialists. We are not menaced by the rivalry of a manufacturing people, and our flag may find a field of extensive development. If the Government of the United States be true to its own interest, if it desire to cherish and maintain a feeling of national friendship with these countries, to the development of whose resources I sanguinely hope our work may offer no mean contribution; if it desire to secure the benefits to our country likely to arise from a commerce destined to be of inestimable value, it must step in while "the waters are troubled;" it must move ere alliances are made elsewhere.

The most flattering compliment has been paid this Government by the people of the Argentine Confederation, through their representatives, that could possibly be bestowed by one nation upon another. They have adopted our Constitution as theirs in every particular, save in some few, where it would have been totally inoperative. They point to our progress as an example to their own people; they copy and circulate the writings of our statesmen; they desire to imitate us so far as it may be possible, and to this end they look for a continuance of peace. These countries are worthy of our highest consideration, and if in our diplomatic relations we are not ably represented, then we are not fairly represented, and we do injustice to ourselves. Of their character, their resources, etc., there is but little known, and should this synopsis of our work have the effect of calling the attention of the commercial community to those regions embraced under the general name of La Plata, the object of the expedition will have been attained—even the most sanguine anticipations will have been more than realized.

I trust also that our labors in the field of natural history will not be found to have been in vain. The collections in the different branches of natural history, which have been examined only cursorily by eminent naturalists, give evidence of their constituting a valuable contribution to that science. In support of this idea I append the following letters,[1] showing the importance attached to those branches which have undergone simply a preliminary examination:

PHILADELPHIA, *November 11, 1856.*

SIR: The collection of birds made during the survey and exploration of the Rio Parana by the United States steamer *Water Witch*, under your command, has been received for examination at the Academy of Natural Sciences of this city.

This collection is one of the most interesting ever made in South America, on account of the countries in which it was obtained being so seldom visited by travelers or naturalists, and my impression is that it contains numerous birds never before known, and certainly not in any museum or collection in this country.

I hope to have at an early day the honor of reporting to you, sir, the results of a more extended and careful examination, especially of the many remarkable birds in this collection.

The volumes relating to natural history have within a few years been completed by two European expeditions to South America. The more important is the voyage of Her Majesty's ship *Beagle*, performed by order of the British Government. The other is D'Orbigny's voyage to South America, performed under the auspices of the Government of France. In both of these the natural history is very carefully published. Your collections are certainly not inferior to those of

[1] These letters, it will be seen, were received and inserted some time after the report had been submitted to the Department.

either of these expeditions, and judging from the notes of officers which I have seen, my opinion is that an American contribution to the natural history of South America can be made very much superior to both.

So long as the condition or progress of the arts and sciences properly characterize nations, the publication of the results in natural history of your expedition must be regarded not only as important to zoological science, but even in a national aspect.

I am, sir, very respectfully,

JOHN CASSIN.

Captain PAGE, *United States Navy.*

WASHINGTON, D. C., *November 25, 1856.*

DEAR SIR: The preliminary survey which I have made of the fishes and reptiles collected by you in Paraguay, fully anticipates the expectation we might have entertained in that respect while you were yet in the field.

Of the fishes, two families are especially well represented—the siluroid and the characini. The first embracing fishes akin to the catfish of our fresh waters, and the sea cat of our coast. It is especially numerous in South America, where its various types assume most diversified aspects. The second is almost exclusively proper to the southern hemisphere, since its northernmost representative is an inhabitant of the waters of the valley of the Rio Grande del Norte (Rio Bravo) and southwest portion of Texas.

I perceive already several species entirely new to science, and I am satisfied that on a more critical examination of the whole collection many more will turn out to be so. But the accession of now species is not the sole point of interest in the collection we owe to your exertions. Its study will touch to other problems as yet but little understood. And first and foremost is the problem of the natural affinities of these fishes with the types now extinct, and which have peopled the waters of geological eras in times gone by. Next comes the problem of the zoological affinities with the ichthyic fauna now living upon the present surface of the earth.

I could already point out to you some of the results, cursorily obtained, were I not reluctant to write fragments of a history which will make the subject of a general report to you so soon as Congress shall have decided upon its publication.

I have a few words to say about the reptiles. There are but few saurians or lizards in the collection; some of them I have had an opportunity to examine from other sources.

The ophidians or snakes are well represented; several are moccasinlike, the others belong to the inoffensive colubridæ, both of land and water habits.

I see no frogs. A series of tree frogs and tree toads, however, make me think that many interesting results will be obtained from their investigation.

The same is true with regard to the toads, properly so called, of which there are several kinds. Their history will fill up a gap in the natural history of South America and complete the results I have obtained a few years since while examining other collections.

I remain, sincerely, yours,

C. GIRARD.

Capt. T. J. PAGE, *United States Navy.*

PHILADELPHIA, *December 1, 1856.*

DEAR SIR: I have seen and cursorily examined a portion of the specimens in natural history which have been brought from the interior of South America, the acquisitions of the expedition for exploration recently under your command, and am impressed with the importance to science and the industrial arts of all the information acquired by you. There can be no hesitation in declaring that you should be enabled, by an appropriation on the part of Government, to make known the result of your labors, and thus secure for the benefit of mankind what has been deemed of sufficient consequence to authorize a special commission to obtain. With the hope that you will speedily be enabled to proceed with the work of publication, I am, very truly, your obedient servant,

C. CARSON,

Professor Materia Medica, etc., University of Pennsylvania.

Captain PAGE,
United States Navy, Washington.

With the hope that the facts herein set forth, which have been hurriedly thrown together from my journal, may be enlarged upon at a subsequent but not distant day and added to by the introduction of matter more interesting to the general reader, they are respectfully submitted.

I have the honor, sir, to be, very respectfully, your obedient servant,

TH. J. PAGE, *Commander.*

Hon. J. C. DOBBIN,
Secretary of the Navy.

[Annual report of the Secretary of State, December, 1857.]

THE UNITED STATES AND PARAGUAY.

Mr. Marcy to Lieutenant Page.

DEPARTMENT OF STATE,
Washington, June 2, 1854.

SIR: I transmit the President's ratification of the treaty between the United States and Paraguay, which was negotiated and concluded by Mr. Pendleton on our part. It will be seen that the instrument was approved by the Senate, with a few unimportant verbal amendments, and has been ratified accordingly.

You are desired to propose a change of this ratification for that of the President of Paraguay. No objection on his part to this proposition can be anticipated. A full power authorizing you to make the exchange is herewith transmitted. The ratification of the President of Paraguay must include the amendments of the Senate of the United States expressed in the Spanish language. The preamble to the ratification may be similar to the preamble of our ratification. This must be followed by a transcript of the original treaty, word for word, and this by the ratification itself. A certificate of the exchange must be executed in duplicate by the person who acts on the part of that Government and yourself. The copy in English may accompany the ratification of Paraguay, and the one in Spanish be placed with our ratification. A draft of such a certificate accompanies this communication.

When the exchange shall have been effected, you will commit the ratification of Paraguay to the custody of Mr. Buckalew, who is the bearer of this instruction. Inasmuch, however, as he may be detained at some point on his way home, it would be advisable for you to inform the Department by the first mail of the date of the exchange, if it should be effected, in order that the treaty may be published.

You will please keep an account of any expenses which you may incur in executing this instruction. They will be reimbursed to you by this Department.

I am, sir, respectfully, your obedient servant,

W. L. MARCY.

Lieut. THOMAS JEFFERSON PAGE,
United States Navy.

[Extract.]

Lieutenant Page to Mr. Marcy.

UNITED STATES STEAMER WATER WITCH,
Corrientes, October 17, 1854.

SIR: I have the honor to inform the honorable the Secretary of State that I received yesterday, at the hands of Mr. C. R. Buckalew, the treaty between the United States and Paraguay, with instructions from the Department to effect an exchange of ratification with such person as may be duly authorized by the latter Government.

Yesterday I dispatched an officer of this vessel bearer of a communication from myself to the secretary of state of the Republic of Paraguay, informing him that I had received from the President of the United States a commission and power to act in the exchange of ratification, and desiring to be informed if I should proceed to Asuncion, the capital of Paraguay, for that purpose.

My reason for thus addressing the Government of Paraguay is because of a recent decree issued prohibiting all foreign men-of-war entering or ascending the river Paraguay. This decree has been issued in consequence of the part taken by

the *Water Witch*, under my command, in protecting and relieving American citizens, whose residence in that country had become subjected to restrictions almost amounting to persecution.

* * * * * * *

The *Water Witch* became necessarily involved in this difficulty because of the duty devolving upon her in the protection of the persons and property of American citizens, the Government of Paraguay still pursuing a system of insult and injury, notwithstanding I had assured it of the consequences which would inevitably result from such a course. In the discharge of this duty the *Water Witch* has brought upon herself the odium of the Government of Paraguay, and it remains to be seen what course that Government will take relative to the exchange of ratification of the treaty.

There is no reason why an objection should be made, and none could possibly be anticipated, save from such a government as Paraguay, whose form and administration would secure to it more appropriately the appellation of absolute despotism than that of republic.

I have the honor, sir, to be, very respectfully, your obedient servant,

THOS. J. PAGE, *Lieutenant Commanding.*

Hon. WM. L. MARCY,
Secretary of State, Washington, D. C.

Lieutenant Page to Mr. Marcy.

UNITED STATES STEAMER WATER WITCH,
Corrientes, November 5, 1854.

SIR: In my communication of the 17th October I advised the Department of the steps I had taken toward effecting the exchange of ratification of the treaty between the United States and Paraguay. I now have the honor to inform the Department that yesterday Lieutenant Murdaugh, the officer dispatched to Asuncion with my letter to the secretary of state informing him that I had been commissioned by the President of the United States to exchange the ratification of the treaty, and desiring to know if I should proceed to Asuncion for that purpose, returned, bringing me the inclosed letter from the secretary of state, together with my letter returned to me.

Lieutenant Murdaugh stated to the secretary of state, on presenting my letter, that it related to the treaty. It was known to the Government of Paraguay that the ratification had reached Buenos Ayres some days previously to the arrival of Mr. Murdaugh. The letters alluded to in the note of Mr. Secretary José Falcon, of the 29th and 30th of September, were addressed to me, returning my letters of the 28th and 29th, copies of which I have transmitted to the Navy Department. In his letter of the 29th of September Mr. José Falcon, secretary of state, says my letter of the 28th is returned without an answer because it is written in the English language; and his of the 30th of the same month, in reply to mine of the 29th, and returning the same, is simply a repetition of the same excuse for not noticing it.

I could see no obligation on my part to correspond with the Government of Paraguay in any other than my own language, knowing full well that it possessed the means of having my letters translated into its own language. I had reasons, apart from the consideration that President Lopez, in his presumptuous exercise of authority, might conceive himself empowered to force me to correspond in his own language, for writing in English. The only person associated with me who is at all capable of translating English into Spanish is my clerk, and his imperfect knowledge of the language (as a translator), coupled with the fact that his translation would not be a fair and true expression of the tenor and import of my letters, determined me not to put myself in a position, in my official correspondence, to be misrepresented. And, again, as President Lopez's acts of tyranny and oppression toward American citizens, against which I protested, were acts of public notoriety, it became my duty, as the agent of my Government, to define my position, that the foreign population and the community generally should understand the grounds on which I stood in the protection of Americans.

To assume an attitude opposed to the will of the President of Paraguay, however arbitrarily that will may have been exercised, was an offense in the eyes of President Lopez which he could not conceive any one would dare commit; and as my note of September 28, written in terms most respectful, plainly but firmly assured him as to the course it would become my duty to pursue, should there be

a continuance of the practices of insult and oppression toward the American citizens by the Government officers, he did not wish that such a letter should be seen by any one other than himself and his secretary. He was as well aware of the contents of that letter before he returned it as I was; and he knows as well as I do the contents of the letter I addressed the secretary of state by the hands of Mr. Murdaugh, a copy of which I have the honor to inclose to the Department. I also inclose the reply of Mr. José Falcon, in the original, from which the honorable the Secretary will perceive that the Government of Paraguay aims to be insulting, even in the forms and ceremonies of its official notes. It neither begins nor ends in the usual style of courtesy adopted between the most humble citizens; neither is it in the usual style of official correspondence of the Paraguay Government. The importance attached to all such observances is nowhere so highly esteemed as in Paraguay.

President Lopez has refused to receive my official letter informing him of the fact that I have been appointed by the President of the United States to exchange the ratification of the treaty. He can not plead ignorance of its contents; and if he were, I can not conceive that such an excuse can possibly be received by the Government of the United States. He does not express any inability on the part of the Paraguay Government to have English documents translated into Spanish. That Government has been addressed, on more occasions than one, by the State Department in the English language. If I understand my duty aright, in my official communications with Paraguay, it is to make them in English. President Lopez has assumed this ground for the purpose of showing to the cringing officials by whom he is surrounded, if he can possibly carry his point, that he will make foreign governments, through their agents, as well as Paraguay subjects, obedient to his authority, and yet hopes to escape being held responsible and answerable by any foreign government he may thus insult in the obsequiousness of his correspondence and the unwarrantable misrepresentation of facts.

The President of Paraguay, notwithstanding his contemptible insinuations in his official organ (a number of which I have forwarded to the honorable the Secretary of the Navy), reflecting upon my conduct, does not specify one single act of mine as being wanting in profound respect toward his Government in all of my intercourse with it. But because I removed the Americans from under the tyrannical rule of his despotic power he considers that I have committed a most heinous offense: and for this reason he treats with contempt my official announcement that I have been commissioned by the President of the United States to exchange the ratification of the treaty.

President Lopez has been in the habit of exercising his arbitrary power over the province of Corrientes (one of the Argentine Confederation) because it has not the means of repelling his aggressions; and he deems it essential to the maintenance of his uncontrolled sway at home to exhibit to the people of Paraguay an assumption of the same authority with all nations.

I beg leave of the Department to indulge me in the expression of my opinion touching the subject of this communication. The pride of President Lopez has been wounded by my presuming to remove from under his tyrannical rule Americans whom he determined to persecute some time longer. His hostility to Americans is a fact too well established to be hid under his professions of a sincere desire for the maintenance of friendly relations. He desires much that Paraguayans, in their benighted state, should acquire from Americans some ideas of the arts; but he apprehends that at the same time they acquire these they may imbibe some notions of liberty and free government.

He designs to make this act of his appear in Paraguay, and in the adjoining States, as an exhibition of his power; hoping through professions, falsely made, to quiet the Government of the United States into an indulgence of him in his course, and induce a censure of its agent. I deem this return of my note an insult to the Government of the United States, and I indulge the hope that such measures will be adopted as will convince the President of Paraguay that the United States will not tolerate the indignities it has been his habit to bestow upon other governments.

The Government of the United States, by assuming this position, will not only maintain that elevated stand which is its right in Paraguay, but in all other South American States. On the contrary, should it assume a conciliatory course, in manifestation of an earnest desire to maintain the most friendly relations, its motives will not be rightly judged, and the Government of Paraguay will be emboldened in the assumption of a course still more arrogant.

I trust that the Government of the United States will direct me to proceed to Asuncion, in the *Water Witch*, with a letter from the State Department to the minister of foreign relations, informing him that I am commissioned to effect the exchange of ratification of the treaty; or, if I may be allowed the suggestion, as a

surer means of accomplishing the object, the commodore of the Brazil squadron might be instructed to proceed to Asuncion, on board of the *Water Witch*, with the brig *Bainbridge* in tow.

I feel confident in assuring the Department that such a course would result in the exchange of ratification. But should it not, I hope the Department will instruct me how to proceed. There are some governments with which peaceable and friendly relations, it is well known, can be maintained only by an exhibition of a sufficient force, and a determination to submit to no indignity.

I have taken the liberty of expressing my opinion and making suggestions touching this matter, in doing which I ask the indulgence of the Department. I have been actuated by a sense of duty—a desire to inform the Department not only of the facts of the case, but of the results likely to arise from the designs and course of the Government of Paraguay, if acquiesced in.

The box containing the treaty is still unopened, as I received it from the hands of Mr. Buckalew. Any instructions the Department may honor me with shall be carried out to the best of my ablity.

I have the honor, sir, to be, very respectfully, your obedient servant,

THOS. J. PAGE, *Lieutenant Commanding.*

Hon. W. L. MARCY,
Secretary of State of the United States, Washington, D. C.

Lieutenant Page to Mr. Falcon.

UNITED STATES STEAMER WATER WITCH,
Corrientes, October 16, 1854.

SIR: The undersigned, lieutenant commanding the U. S. S. *Water Witch*, Thomas J. Page, has the honor to inform His Excellency José Falcon, secretary of state and minister of foreign relations, that he has this day received from the President of the United States a commission to act on the part of his Government in the exchange of ratification of the treaty concluded between the United States and the Republic of Paraguay on the 4th day of March, 1853.

With this commission the undersigned has received the treaty, which he is instructed to exchange.

The undersigned desires to be informed if he shall proceed, according to the instructions from his Government, to the capital of Paraguay, for the purpose of effecting the exchange of ratification above alluded to.

The undersigned will dispatch this communication by Lieut. William H. Murdaugh, of the U. S. S. *Water Witch*, who will, in person, hand it to his excellency, and will receive his reply.

The undersigned avails himself of this occasion to renew to his excellency the assurance of his distinguished consideration.

TH. J. PAGE.

His Excellency JOSÉ FALCON,
Secretary of State and Minister of Foreign Relations,
Asuncion, Paraguay.

Mr. Falcon to Commander Page.

[Translation.]

ASUNCION, *October 21, 1854.*

In accordance with the conditions (set forth) in my letters of the 29th and 30th of the past, I return to you your letter dated October 16, in Corrientes, written in English, without accompanying it (or me) a translation signed, wondering that you should continue in your idea of mortifying me.

Your attentive servant, "De U. S. atento servidor,"

JOSÉ FALCON.

Mr. THOMAS J. PAGE,
Commander of the Steamer Water Witch.

[Does not say where.]

Commander Page to Mr. Dobbin.

UNITED STATES STEAMER WATER WITCH,
Parana River, February 5, 1855.

SIR: I have the honor to forward to the Department the inclosed report from Lieutenant Jeffers, from which it will be seen that a most unprovoked, unwarrantable, and dastardly attack has been made on the *Water Witch*, while she was in the peaceable and rightful discharge of duty assigned me by the Department.

On the 31st of last month I left Corrientes, with the small steamer and two boats, taking with me 3 of the officers and 16 men, with the design of ascending the river Salado in boats, if possible, should the small steamer prove inadequate. This force would have been necessary in the event of using either the small steamer or the boats. Lieutenant Jeffers I left in charge of the *Water Witch*, with instructions to ascend the Parana River so far as her draft would allow. This, I supposed, would be less than 200 miles.

He sailed from the town of Corrientes on the 1st instant, and, as will be seen from his report, had not gone more than 3 miles from where the river forms the common boundary between Corrientes (one of the provinces of the Argentine Confederation) and Paraguay, when the *Water Witch* was fired into from a fort on the Paraguay side of the river.

The *Water Witch* was in the act of exploring a river which is the common boundary between these two countries. The right of each to navigate this river up to the limit of the province of Corrientes has never been questioned by either, and I had never heard that Paraguay presumed to exercise the power of preventing its navigation.

To the exploration of this portion of the Parana I had not only obtained the permission of the Argentine Confederation, and especially of the province of Corrientes, but an expression of earnest solicitude on the part of both the President of the Confederation and the governor of Corrientes had been made that I should establish the fact that the river is navigable to a much greater extent than that to which it is now known to be, of which they had some hope, but not the means, of proving.

The navigation of this river to the extent of the territory of Corrientes is already secured to the flag of the United States by treaty with the Argentine Confederation. That Government, so far from objecting to the *Water Witch's* ascending the river, had furnished me with an order enjoining upon every province into whose waters I should enter the obligation to afford me every facility.

On what ground and for what reason the Government of Paraguay has presumed to commit such an act I am unable to conjecture. So far from the *Water Witch* making any hostile demonstration, she attempted to pass up the river through a channel way which was more on the Corrientes side, and, in doing so, was run aground by the pilot. This was seen from the fort. It was well known to the Government of Paraguay, and doubtless to the commander of the fort, that the *Water Witch* was with a very reduced complement of both officers and men, and consequently it could not have been her design to make an attack. The act of firing into the vessel can not, therefore, receive the shadow of justification on the grounds of anticipating an attack. It is consequently a wanton outrage; the act of a government beyond the pale of civilization, and seemingly unconscious of the responsibility of such an outrage. This is, nevertheless, no palliation for so grave an offense.

Lieutenant Jeffers was in the act of executing instructions which he had received from me when the steamer was fired into. His course and conduct on the occasion I highly approve and commend, and I hope they will meet with the approval of the Department.

It is with pain and regret that I report the death of Samuel Chaney, quartermaster. He died in two hours from the effects of wounds received from a ball and splinters. There were a few slight wounds received by others from splinters, which were so slight as not to prevent the discharge of the usual duties.

The vessel was hulled ten times, but in no point of any importance. The repairs can be readily made. I now proceed to Montevideo, with the hope of obtaining from the commodore or senior officer two or three guns of suitable caliber and an addition of a few men. With this force I shall feel confident of the ability of the *Water Witch* to avenge the outrage which has been perpetrated on the flag of the United States.

I indulge the sanguine hope that the commodore will act in this matter with all

the promptness which the exigencies of the case require, and that such a course will receive the approval of the Department.

I have the honor, sir, to be, very respectfully, your obedient servant,

TH. J. PAGE,
Lieutenant Commanding United States Steamer Water Witch.

Hon. JAMES C. DOBBIN,
Secretary of the Navy, Washington, D. C.

Lieutenant Jeffers to Commander Page.

UNITED STATES STEAMER WATER WITCH,
Corrientes, February 2, 1855.

SIR: In pursuance of your instructions and with the consent of the governor of the province of Corrientes, at 7 a. m. on yesterday, February 1, weighed anchor and stood up the River Parana for the purpose of making an exploration of its upper course so far as navigable, and rectifying the chart of the river up to the mouth of the Paraguay in all places where the channel had changed since the chart was made. Nothing particular occurred until 11 a. m., when we entered the Parana above the mouth of the Paraguay (observing some movements at the Guardia Cenito) and continued our course diagonally across the stream toward the Corrientes shore, intending to pass between that and an island about 4 miles above the mouth of the Paraguay, Guardia Carracha, at the Paso del Rey, in sight on the right bank. At $11^h\ 26^m$ opened this station, a semicircular brick fort on an elevation of about 30 feet above the river, mounting, as well as I could ascertain, 6 guns, en barbette, and shortly afterwards ran aground about a half mile from the fort, on a sand bank making up suddenly out of deep water 1 fathom under the bows, $3\frac{1}{2}$ at the wheelhouse. A boat was sent from the guardia, which laid off observing our motions.

I immediately laid out a kedge astern, and about $12^h\ 15^m$ hauled off and let go our anchor; attempted to weigh the kedge, but lost it. While the men were at dinner I observed the Paraguayans getting their guns ready. I shifted starboard gun to forward port on port side of quarter-deck, cleared for action, filled 40 shrapnell and 12 shells, and got up 30 stand of grape; but not supposing that anything serious would result, did not cut the rail over the port to which the gun had been shifted.

I then stationed Mr. Potts at the bell and in charge of the deck, to assist the pilot, with directions to proceed at all hazards, unless the machinery should be disabled. Mr. Lamdin I placed in charge of the after guns and Mr. Taylor at the engine. We mustered at quarters but 28, of whom 2 were sick, and 5 cooks and stewards.

At $1^h\ 20^m$ weighed; while weighing the anchor the Paraguayan canoe which had been observing our movements came alongside, and a man offered me a paper printed in Spanish, which I declined to receive on the ground that I could not read it. As soon as the anchor was aweigh I stood up the river, the crew at quarters. The pilot informed me that the only practicable channel was close to the fort, and this channel I directed him to take. On arriving within 300 yards I was hailed by a person who I am informed was the Paraguayan admiral, but I did not understand the import of the hail. Two blank cartridges were then fired from the fort in quick succession and followed by a shot. I had given particular orders that no shot should be fired except in return, and then only by my directions, and on receiving this first fire I directed a general fire in return.

The first shot of the enemy carried away the wheel, cut the ropes, and mortally wounded Samuel Chaney, the helmsman. A bar was soon shipped, and the vessel steered by it, but with some difficulty on account of the rapidity of the current. In a couple of minutes after the action had commenced the pilot deserted his station and hid himself behind the engine house. Dragged up thence by Mr. Potts, on looking around him he exclaimed, "We shall certainly ground, as there is not sufficient water in the channel." By this time we had run past all the guns of the battery except one; and on learning the state of things, I left the bow gun, which I had been directing, which was no longer serviceable, and took the deck. The pilot, whom I had again to force up to his station, in a high state of excitement, repeatedly exclaimed, "We shall be aground in a moment," insisting that we could not pass up. The vessel being then in 10 feet water—drawing 9—I was reluctantly

compelled to back down past the battery, exposed to a severe fire, which, from the position of the vessel being nearly bows on, I could not return. On getting out of range I anchored, repaired damages, and filled more ammunition, having observed the Paraguayan war steamer *Taquari* firing up.

I am satisfied the pilot was not in the channel; but in his state of fright nothing could be done with him, and to have grounded would have been to insure the loss of the vessel, as it is said that the Paraguayans have at this point 6,000 men and a numerous artillery to arrest the passage of the Brazilian fleet. The *Taquari*, with their gunboats, would alone have been an overwhelming force. At 3 p. m. weighed anchor and returned to Corrientes.

It had been my intention to attack the Guardia Cenito, where a gunboat was lying. The *Taquari* dropped down and anchored there for its defense, which made the odds too great for any hope of a successful attack with my little crew of 28 men and the armament one 24 and two 12 pound howitzer boat guns. Although so superior in force, the *Taquari* made no demonstration of following us.

The amount of damage sustained by the enemy it is difficult to estimate. Mr. Bushell, the clerk, who was directed by me to take notes of the action, states that one of their guns was dismounted, and, from the good explosions of several of the shrapnel, some execution must have taken place. A battery of this nature exposes so few men that I can not estimate their loss as very great. I am confident that, had all the officers and men been on board, we should have killed or driven them from their guns and taken the battery, but I must do them the justice to say that I saw no signs of flinching. The fire was slow, but remarkably well directed.

It will, I hope, be evident from the preceding details that this attack was as unprovoked as it was unexpected; but, following the dictates of prudence, I was not unprepared for such a result. It is not a little remarkable that at no time, either before or after the engagement, was any flag displayed.

In conclusion, I must fulfill an agreeable duty in bearing witness to the zealous manner in which the engineers of this ship supported me on this occasion. Mr. Potts was in charge of the deck, Mr. Lamdin of a division of guns, and the latter assisted personally in loading after some of his men had deserted from their quarters. The engine was worked by Mr. Taylor with as much promptitude as on ordinary occasions.

I have the honor, sir, to be, very respectfully, your obedient servant,

WILLIAM N. JEFFERS,
Lieutenant in Command.

Lieut. Commander THOMAS J. PAGE.

Commander Page to Mr. Marcy.

[Extract.]

UNITED STATES STEAMER WATER WITCH,
Montevideo, January 28, 1856.

SIR: I have the honor to inform the Department that, being about to leave these waters, their exploration, so far as it is open to me, having been completed, I have deposited in the legation at Buenos Ayres, under the charge of the resident minister, the treaty of which I was commissioned to exchange the ratification with the Government of Paraguay.

Immediately on the refusal of President Lopez to receive my communication informing him of my instructions from my Government relative to the exchange of ratification, I communicated the fact to the State Department; also, that I would keep the treaty in my possession until further instructed. Having received no instructions relative to the matter I have concluded that the best course for me to pursue is to leave the treaty in the legation at Buenos Ayres, subject to the orders of the Department. * * *

I have the honor, sir, to be, very respectfully, your obedient servant,

THOMAS J. PAGE.
Lieutenant, Commanding U. S. Steamer Water Witch.

Hon. WM. L. MARCY,
Secretary of State, Washington, D. C.

Mr. Marcy to Mr. Fitzpatrick.

[Extract.]

DEPARTMENT OF STATE,
Washington, August 5, 1856.

SIR: * * * * * * *

It is deemed advisable that you should propose an exchange of the ratifications of the treaty with Paraguay, which was concluded on the 4th of March, 1853.

* * * * * * *

You will herewith receive a letter introducing you to the minister of foreign affairs of Paraguay. On presenting it, and on other occasions when you may have intercourse with him, and with other persons in authority there, you will endeavor to convey an impression of the strong desire of the President to maintain friendly relations with that country, and of his hope that this disposition will be reciprocated.

Your first business will be to propose an exchange of the ratifications of the treaty, for which you are authorized by the accompanying power from the President. If your proposition for this purpose should be objected to, you will endeavor to meet the objections. There is no information in this Department which enables it to anticipate what they may be, or, indeed that there is any just cause for a rejection of the treaty.

* * * * * * *

I am, sir, etc.,

W. L. MARCY.

RICHARD FITZPATRICK, Esq.

[Extract.—Translation.]

LONG LIVE THE REPUBLIC OF PARAGUAY!

ASUNCION, *November 8, 1856.*

The Minister of Foreign Relations of the Republic of Paraguay to Mr. Richard Fitzpatrick, Special Commissioner of His Excellency the President of the United States of North America, near the Government of the Republic of Paraguay.

I have the honor to address myself to the special commissioner of His Excellency the President of the United States of America, to say to him that I have observed in his credential letter of the 30th of July, of this year, his special authorization for the sole purpose of exchanging the ratifications of the treaty of the 4th of March, 1853, and that the honorable Secretary of State of the United States, in a note which he has addressed to me, dated the 5th of August last, makes known that you have been appointed special commissioner to confer with me on all the matters connected with the interests and relations of our respective Governments.

It is requisite, therefore, that you should be pleased to declare the objects of said special commission, in order that we may understand the halt in the pending questions in regard to the complaints of this Government against that of the United States for the serious offenses offered to it by the scandalous hostilities of the commanding officers of the *Water Witch*, a United States vessel-of-war.

* * * * * * *

I avail myself of this opportunity to salute the special commissioner with my most distinguished consideration and esteem.

NICOLAS VAZQUEZ.

[Translation.]

LONG LIVE THE REPUBLIC OF PARAGUAY!

ASUNCION, *November 8, 1856.*

The Minister of Foreign Relations of the Republic of Paraguay to Mr. Richard Fitzpatrick, Special Commissioner of His Excellency the President of the United States of North America, near the Government of the Republic of Paraguay.

I have the honor to address myself to the special commissioner of His Excellency the President of the United States of America, to say to him that I have observed

in his credential letter of the 30th of July, of this year, his special authorization for the sole purpose of exchanging the ratifications of the treaty of the 4th of March, 1853, and that the honorable Secretary of State of the United States, in a note which he has addressed to me, dated the 5th of August last, makes known that you have been appointed special commissioner to confer with me on all the matters connected with the interests and relations of our respective Governments.

It is requisite, therefore, that you should be pleased to declare the objects of said special commission, in order that we may understand the halt in the pending questions in regard to the complaints of this Government against that of the United States for the serious offenses offered to it by the scandalous hostilities of the commanding officers of the *Water Witch*, a United States vessel of war, under circumstances that this department has not yet received an answer to the notes which it addressed to the honorable Secretary of State of the United States in regard to the unprovoked outrages of said commanding officers of the *Water Witch*.

Nor do we know whether the Government of the United States wishes to interfere in the claim which has been announced by Edward A. Hopkins, an American, against this Government, when at his request he has been allowed to depart freely, together with all the members of what he called the United States Navigation Company, abandoning the little property of the company, itself burdened with a debt of $10,000 that it received from the national treasury at an annual interest of 6 per cent, when no one would lend it a dollar to pay its matured obligations which it had deceptively contracted. The Government of the Republic ordered this aid to be given without bond or security of any kind, and only on the obligation of said company, to save the honor of a consul of the United States in this city, a favor which Hopkins has requited by unheard of insolences and by excesses which at last occasioned the supreme decree revoking the exequatur that had been accorded to his credentials as consul of the United States in Paraguay.

In all these outrages and hostilities the Government of the Republic has been seriously offended, and there is due to it satisfaction instead of claims for millions of dollars, by which Hopkins has sought to intimidate the Government of the Republic.

It is proper, therefore, to know the determination of the Government of the United States in regard to the said outrages of the commanding officers of the *Water Witch*, and in regard to the pretended claims of Hopkins, in order to perceive whether the occasion has arrived to make a plain and full exchange of ratifications of the treaty of the 4th of March, 1853; and to this end you will be pleased to answer this note.

I avail myself of this opportunity to salute the special commissioner with my most distinguished consideration and esteem.

NICOLAS VAZQUEZ.

[Translation.]

ASUNCION, PARAGUAY, *November 10, 1856.*

SIR: I have had the honor to receive your excellency's note dated the 8th instant, and in reply have the honor to inform your excellency that my mission near the Government of the Republic of Paraguay is solely for the purpose of exchanging the ratifications of the treaty concluded on the part of the United States of America, by Mr. Pendleton, with the Republic of Paraguay, on the 4th of March, 1853, as is stated in my credential letter from the President of the United States of America, which I have had the honor to present to His Excellency the President of the Republic.

On the said treaty being exchanged, I consider my mission near the Republic ended.

. I avail myself of this opportunity to express to your excellency my high consideration and respect.

RICHARD FITZPATRICK,
Special Commissioner of the President of the United States of America for the exchange of the ratifications of the treaty with the Republic of Paraguay.

To His Excellency Señor Don NICOLAS VAZQUEZ,
Minister of Foreign Relations of the Republic of Paraguay.

[Translated.]

LONG LIVE THE REPUBLIC OF PARAGUAY!

The Minister of Foreign Relations of the Republic of Paraguay to Mr. Richard Fitzpatrick, Special Commissioner of His Excellency the President of the United States of North America, near the Government of the Republic of Paraguay.

ASUNCION, *November 15, 1856.*

I have had the honor to lay before His Excellency the President of the Republic the difficulty to which we have adverted in effecting the exchange of the ratification by his excellency with that by His Excellency the President of the United States of North America, of the treaty of friendship, commerce, and navigation, concluded in this capital on the 4th of March, 1853, between the plenipotentiaries of the two Governments, in consideration that the Government of this Republic, on the recommendation of its council of state, has on the 12th of March, 1853, plainly and fully ratified the said treaty of the 4th of the said month, and that the Government of the United States of North America has, on the 1st of June, 1854, given its ratification, with thirty-two amendments made by the Senate of United States, and with the extension of the fifteen months stipulated for in article sixteen of the treaty to twenty-four months, for the exchange of the ratifications; and I am directed to say to you, as I now do, that His Excellency the President of the Republic can not consent to an exchange of a plain and full ratification of said treaty of the 4th of March, 1853, with the ratification which His Excellency the President of the United States has given to the said treaty, with the aforesaid amendments, of which amendments you have been so good as to transmit me a copy of the English amended text and its translation into Spanish.

I am likewise directed by his excellency the President of the Republic to make known to you that his excellency is in the best disposition to renew the negotiations of a treaty of friendship, commerce, and navigation, as soon as his excellency the President of the United States may desire to send a plenipotentiary to this city for the purpose, with suitable instructions.

With such an opportunity, the pending questions, to which I have referred in my previous note to you of the 8th instant, can be settled, it not being easy to continue longer without a solution which shall strengthen the good understanding of the two Governments.

I avail myself of this occasion to reiterate to you the assurance of my distinguished consideration and esteem.

NICOLAS VAZQUEZ.

[Translation.]

REPUBLIC OF PARAGUAY,
Asuncion, November 18, 1856.

The undersigned, special commissioner of the United States of America near the Republic of Paraguay, has had the honor to receive the note of the honorable minister of foreign relations of the Republic of Paraguay, dated the 15th instant.

The undersigned can not perceive the difficulty mentioned in the note of the minister of foreign relations.

The treaty made at Asuncion on the 4th of March, 1853, is not written in the terms which are employed in other treaties between the United States of America and foreign nations with whom it has treated. The expressions "United States of North America," "North American Union," etc., are not found in those treaties; that of "the United States of America" only is used; and the Senate of the United States of America will assuredly amend the language of every treaty with any nation or power previous to its ratification.

In the treaty between the Republic of Paraguay and the United States of America, the terms "United States of North America," "North American Union," etc., are frequently used; but this is to be attributed entirely to the carelessness of the representative of the United States of America, and not to the representative of the Republic of Paraguay.

The undersigned desires to call the attention of his excellency the minister of foreign relations to the fact that the emendations made by the Senate of the United States of America are only corrections, and not alterations, either of the sense of the treaty or of the obligations of the high contracting parties.

It is only necessary that the ratification of his excellency the President of the Republic of Paraguay should include the amendments made by the Senate of the

United States of America, and this by his ratification of the exchange in the Spanish language and in duplicate. Nothing more is requisite to render the treaty valid.

With respect to the alteration of time by the Senate of the United States of America, from fifteen months to twenty-four months, the undersigned is unable to perceive that any default can be attributed to the high contracting parties by the lapse of time between the signing of the treaty and the exchange of its ratifications; the distance between the two countries is very great, and the means of conveyance not at all certain, and there may arise other causes of delay which can not be foreseen by either the Republic of Paraguay or the United States of America. If the ratification should be now exchanged, notwithstanding the time named in the amendments of the Senate of the United States of America (twenty-four months) has already passed, no difficulty will arise hereafter.

The undersigned avails himself of this opportunity to renew his assurances of high consideration and respect.

RICHARD FITZPATRICK.

His Excellency SEÑOR DON NICOLAS VAZQUEZ,
Minister of Foreign Relations of the Republic of Paraguay.

LONG LIVE THE REPUBLIC OF PARAGUAY.

The minister of foreign relations of the Republic of Paraguay, to Mr. Richard Fitzpatrick, special commissioner of the United States of North America near the Government of the Republic of Paraguay.

ASUNCION, *November 26, 1856.*

I have had the honor to receive the note that you addressed to me on the 18th instant, in which you observe that the treaty made at Asuncion on the 4th of March, 1853, is not written in the terms employed in other treaties between the United States and foreign nations with whom it has treated, and attribute this entirely to the carelessness of the plenipotentiary of the United States who concluded and signed that treaty.

You quote the amendments that the Senate of the United States has made to the said treaty of the 4th of March, and conclude that it is necessary that his excellency the President of the Republic should include in his ratification of the exchange in the Spanish language, and in duplicate, the amendments made by the Senate of the United States, and that nothing more is necessary to render the treaty valid.

His excellency, the President of the Republic, on the recommendation of his council of state, has, on the 12th of March, 1853, plainly and fully ratified the said treaty of the 4th of the same month, as I have made known to you in our official conference; and, in this posture of the affair, it is not easy for his excellency the President of the Republic to submit to a new ratification in the terms which you propose; and in communicating this decision, I acknowledge the reception of your said note of the 18th reproducing my note of the 15th instant, and close this correspondence.

I avail myself of this opportunity to reiterate to the special commissioner of the United States the assurance of my distinguished consideration and esteem.

NICOLAS VAZQUEZ.

Commander Page to Mr. Toucey.

[Extract.]

WASHINGTON, D. C., *August 4, 1857.*

SIR: I have the honor to acknowledge the receipt of the communication of the 29th ultimo, accompanied by dispatches from the Government of Paraguay, under date of October 3 and 4, 1855, and from Mr. James A. Peden, resident minister of the United States near the Government of the Argentine Confederation, asking of me such explanatory statements as I may have in my power to make.

The attack made upon the U. S. S. *Water Witch* on the 1st of February, 1855, by the Paraguay Fort Itapiru was reported to the Department in my communication under date of the 5th of the same month, inclosing a more detailed account of that outrage from Lieutenant Jeffers, who at the time alluded to was the commanding

officer of the vessel, I, accompanied by the other officers and the better part of the crew, having left for a distant and, as I supposed, a more dangerous exploration. For the facts explanatory of this attack, I refer the Department to those dispatches and to the accompanying paper, marked A, which I feel it my duty to lay before the public in justification of the course of the *Water Witch* and in refutation of a presumptuous claim made by President Lopez to the exclusive jurisdiction of that part of the Parana River where she was fired into.

The dispatch dated February 4, 1855, of Mr. José Falcon, secretary of state of the Paraguay Government, to the Secretary of State of the United States on the subject of the attack upon the *Water Witch*, accompanied by a fancy sketch of what purported to be a representation of the country in the immediate vicinity of the Fort Itapiru, of the course of the channel, and of the movements of the vessel, require some special notice. It was published in the papers of Buenos Ayres soon after its date, and the sketch alluded to was for sale in the bookstores. So soon as the letter had made its appearance I informed the Department of the glaring attempt on the part of President Lopez to deceive the public, and inclosed a faithful representation of the place, the course of the *Water Witch*, her point of grounding, and the depth of water of the two branches of the river up to the point at which she was fired into. I now inclose them both, reduced to the same scale, that the Department may judge of the fraud designed to be practiced by President Lopez upon the Secretary of State and upon the public. When the chief magistrate of a nation will presume in his official correspondence with the head of a foreign power so grossly to deceive and pervert the truth, he seems really to descend to a political state which renders his correspondence unworthy of notice. President Lopez is very much in this condition at this time among the States of La Plata. His communication alluded to—for the name of Mr. José Falcon appended to it is a mere matter of form—is full of misrepresentation. One of the gravest charges he brings against me having the semblance of truth is that "he (I) had caused steam to be put up and ordered the guns to be loaded, etc., whenever the attempt should be made to prevent the departure of Mr. Hopkins and other Americans on board the steamer."

He aims to convince our Government that there was no desire or attempt to arrest the departure of the Americans from Asuncion, when they had been informed, on applying at the custom-house for the permit to remove or ship their property, that the permit would not be granted until they had surrendered the deeds, etc., held by the company as evidence of its rightful possession of certain real estate in Paraguay.

I informed the secretary of state that the papers demanded represented the property of citizens of the United States and could not be given up, and that if permission were not granted to the Americans to leave the country by the usual mode of conveyance I should take them away in the *Water Witch*, and specified the time when I should do so, in order to enable the Government to retract its prohibition. The hour came, and not until the Government saw the Americans and their effects being received on board of the vessel did it issue the permit. The entire statement of my manner of treating the passports of the Americans, his correspondence, etc., is a tissue of misrepresentation. Their passports I never saw, and the correspondence he alludes to I gave into the hands of two officers, with instructions to deliver them to the captain of the port, which they reported having done as ordered, and I have no doubt but that the duty was discharged in the most civil and polite manner. Were I to particularize the misrepresentations contained in this communication, and confute them, seriatim, it would protract this paper unnecessarily. I beg leave to refer you to my letter of September 29, 1854. The paper marked A, which appeared in the public journals of Buenos Ayres, is the only notice I took of the low abuse published in the Seminario, the official organ in Paraguay, because of my interference in the protection of the Americans then residing in that country. I was aware that the libelous pen of President Lopez was fully understood in the neighboring States, and that to notice his article would only stimulate him to further abuse. But when he attempted to show that the *Water Witch* had infringed a national right, I felt it my duty to inform the public of the fraud, and show that she was justified in being where she was by every principle of international law.

With regard to the decree of the 3d of February, 1855, prohibiting foreign men-of-war from entering the waters claimed by Paraguay, I am not aware that it has been officially revoked; but I am informed, by correspondence with Buenos Ayres and from President Lopez's official communication to the Paraguay congress, that men-of-war of Brazil, of England, and of France have, within the past year, been within the waters claimed by that Government, and have visited Asuncion, the capital. I presume, therefore, that the decree has been virtually, if not officially, annulled. * * *

A.

UNITED STATES STEAMER WATER WITCH,
Montevideo, March 9, 1855.

MR. EDITOR: I recognize in your paper of the — March an article copied from the Seminario as the production of the President of "the republic." It is with profound respect and all due deference that I presume to differ, in the construction of any point of international law, with a person of his deep learning, enlarged, liberal, and intelligent views, and of his elevated position, but in the article alluded to, touching the glorious attack made by the fort at Itapiru upon the *Water Witch*, there are exclusive rights assumed for the Government of Paraguay which, it appears to my humble judgment, are not sanctioned by the laws of nations.

On the question whether there are or not two, three, or more channels in the river Parana, between the shores of Paraguay and Corrientes, and whether the main channel is or is not on the Corrientes side, I shall not presume to advance an opinion at variance with that of his excellency, because his should be taken as the very best authority; but I hope I may be permitted to state, in justification of the *Water Witch* being out of the main channel, as established by his excellency, that she was being directed by a pilot who had been recommended to me, and that it is our custom on board of American vessels to concede to pilots the right to give the course and direction. This pilot, having something of an instinctive dread of this Paraguay fort, endeavored to discover a channel on the Corrientes side, and in doing so ran the steamer aground in 6 feet of water. To haul her off occupied a short time and occasioned the loss of an anchor, which, singular to say, was neither seen at the fort (notwithstanding the laughing of the men on board was heard) nor mentioned in any of the luminous effusions on the subject from Paraguay.

The pilot failing to discover a channel on the Corrientes side, and having been previously told in Corrientes, as subsequently came to light, that he must at this point keep close to the Paraguay shore, directed the vessel into that channel after she had been gotten afloat.

This is tolerably good evidence to me that there was no channel of more than 6 feet at that time on the Corrientes side, and, moreover, that the main channel of the river was on the Paraguay side. But as his excellency is of a different opinion I will not presume to argue the point. I simply indulge the hope that it may suit the wisdom of his excellency to call in requisition some of the abundant intellectual resources of Paraguay for the establishment of the fact that "the narrow channel of the Parana at Itapiru is not the main channel." I feel satisfied that I may assume the responsibility of satisfying his excellency that any expedition of the kind designed by Paraguay will meet with no opposition from the Argentine Government in ascending the main channel on the Corrientes side—at least I do not think that his exploring vessel will be fired into.

This difference of opinion between his excellency and myself as to the direction of the main channel is not a matter of such grave import as is that touching the exclusive right to or exclusive jurisdiction over that part of the Parana as is set forth in the communication alluded to.

President Lopez says: "Why absolutely persist in infringing a measure, a rule which the Government of Paraguay, in pursuance of its rights, has established, governing the narrow channel in front of Itapiru? Why aim to force this passage, when the principal channel on the Corrientes side is free to all the world?"

Here is one channel of a river, the common boundary between the Argentine Confederation and Paraguay, claimed by the Government of Paraguay as her exclusive right because it is more on the Paraguay side of the river, while, with magnanimous generosity, the channel on the Corrientes side, if there be one, is by the same Government declared "free to all the world."

This may be in accordance with some new code of international law which has been established by his excellency and for the government of nations that may aspire to friendly relations with the Government of Paraguay, but it certainly is at variance with the principles of the code which is recognized by most nations as the "law of nations."

I quote Wheaton on the Laws of Nations (page 242): "Where a navigable river forms the boundary of conterminous states the middle of the channel or thalweg is generally taken as the line of separation between the two States, the presumption of law being that the right of navigation is common to both," etc.

Page 243: "It seems that this right draws after it the incidental right of using all the means which are necessary to secure enjoyment of the principal right itself. Thus the Roman law, which considered navigable rivers as public or common property, declared that the right to the use of the shores was incident to that of the

water, and that the right to navigate a river involved the right to moor vessels to its banks, to load and unload cargoes, etc. The public jurists apply this principle of the Roman civil law to the same case between nations and infer the right to use the adjacent land for these purposes, as means necessary to the attainment of the end for which the free navigation of the water is permitted."

Page 244: "By the treaty of Vienna, in 1815, the commercial navigation of rivers which separate different States or flow through their respective territories was declared to be entirely free in their whole course, from the point where each river becomes navigable to its mouth," etc.

At page 248: "The right of the United States to participate with Spain in the navigation of the river Mississippi was rested by the American Government on the sentiment written in deep characters on the heart of man that the ocean is free to all men and its rivers to all their inhabitants. This natural right was found to be universally acknowledged and protected in all tracts of country united under the same political society by laying the navigable rivers open to all their inhabitants."

At page 351: "It was a principle that the right to a thing gives the right to the means without which it could not be used; that is to say, that the means follow the end. Thus a right to navigate a river draws to it a right to moor vessels to its shores, to land on them in cases of distress or for other necessary purposes." This principle was founded in natural reason, was evidenced by the common sense of mankind, and declared by the writers (the principal writer on international law) before quoted.

Judging from the above quotations, it does appear to me that there is guarantied by the law of nations to the Argentine Confederation—one of the "conterminous States"—the free and peaceful use of the river Parana in all its parts, regardless of this or that channel, wheresoever it may form the common boundary between the Confederation and Paraguay. This being granted, I then claim, under authority from the Argentine Confederation, the right for the *Water Witch* to explore any and every portion of the Parana River which she, as one of the conterminous States, would have the right to navigate.

I do not propose to enter into the discussion or decision of questions of disputed limits between Paraguay and the other States, for there would be as many questions as she has contiguous States, but I do assert, notwithstanding I differ with such high and learned authority as the President of Paraguay, that every principle of international law, right, and propriety justified the *Water Witch* in ascending the Parana to the extent of the territory of the Argentine Confederation and to the use of any part of that river within those limits.

However widely we may differ on this point, there is one sentiment advanced by his excellency in which it gives me pleasure to assure him that we agree most perfectly, and that is his anticipation as to the tone of public opinion amongst all civilized nations touching the attack upon the *Water Witch*. He expresses himself thus: "Already we seem to read in the columns of foreign periodicals the attack upon or conflict with the *Water Witch* represented in a false light. It will be said that a vessel engaged in a scientific work, at the moment in which she was determining the topographic position of this or that point, was attacked and sunk by a horde of savages! Already we are prepared to hear that Paraguay is a country behind the age, wanting in intelligence: that by her, progress and science are trodden down, and such is her hatred to foreigners that she would sooner hold communication with the ferocious beasts of the desert."

I agree with his excellency that such will unquestionably be the estimation in which this act will be held by the civilized nations of the earth; but as the Government alone is responsible for such an outrage upon international right and courtesy, the people of Paraguay, who are very good people, should not suffer in public estimation from an act which, I feel assured, they neither counseled nor approved. Now, Mr. Editor, I think we are irresistibly brought to the conclusion that the *Water Witch*, with an armament of three boat howitzers, designed as a defense solely against savages, with a crew diminished by one half in efficiency, and with one officer, save the engineers (the other officers and the rest of the crew having been detailed for other duty), while in the rightful and peaceable exploration of a river, in which exploration the whole world is as much interested as the United States, and their neighboring States more than any others, is fired into by order of President Lopez; that a fort is armed and garrisoned, an encampment formed of thousands of soldiers to arrest the *Water Witch* in her scientific work, and then she is fired into, as though she aimed at a demolition of the whole encampment. The scene at the encampment is thus graphically described by his excellency, which certainly does honor to the gallant defenders of their country against such odds: "In order to understand how, at the first intelligence of the occurrence at Itapiru, in the encampment of the Paso de la Patria, all the troops put them-

selves in motion, each soldier believed that the hour of combat had arrived, and enthusiasm pervaded the ranks as if the country were in danger and each man had been called to defend his threatened fireside."

With this view of the case as set forth under authority of international law, and with the representation of the occurrences as given by President Lopez, I agree with him perfectly in this anticipation as to the opinion which every civilized community will form of the Government of Paraguay.

Permit me, Mr. Editor, before concluding this communication, to quote from an editorial in your paper of the 2d. You say: "In view of the accounts as given on both sides, we should in truth declare that had we found ourselves in the place of the commandant of Itapiru, we should have done as he did—that is, have fired into the *Water Witch*."

In this opinion I agree with you perfectly; but, Mr. Editor, will you take one step further and inform your readers had you been in the situation of President Lopez, would you have issued such orders to the commandant of Itapiru?

TH. J. PAGE.

B.

ELIZABETH CITY, UNION COUNTY, N. J.,
July 30, 1857.

MY DEAR SIR: Your letter of the 20th reached me on the 25th. I am astonished to learn the course you state that Mr. Peden has pursued and agree with you fully in the statement in relation to the men, the report you made, and the disposition of the man whom you reported as being irresponsible for his own conduct—in other terms, as "non compos mentis."

I have no recollection of your leaving with me a written report. I find none among my papers. Should I, however, come across such a paper, I will send it to you. My impression is that you retained the statement of the circumstances of the men's conduct.

Truly yours,

W. D. SALTER.

Capt. THOS. J. PAGE, U. S. N.,
Washington, D. C.

Statement of Commander Page.

It has occurred to me that in setting forth the acts of usurpation of President Lopez against the American company, which had been established in Paraguay under such favorable auspices, that the quo animo of the men should be made to appear, which, according to public opinion throughout the whole country of La Plata, as well as in Paraguay, wheresoever this opinion could be arrived at, was to reap for his own personal benefit the profits likely to accrue to this company. In one branch of its operations (the cigar factory) a number of hands (women) had been instructed in the making of cigars so far as to make it a difficult matter to distinguish by appearance their manufacture from the best of Habana make. On the breaking up of the American company one of President Lopez's sons immediately went into the cigar business with these same operatives.

President Lopez is, in addition to his supremacy in the Government and over the nation, the great farmer and merchant of Paraguay. Throughout the country there are well-stocked estencias and stores of goods in which his family is directly interested. Whatsoever conflicts with his pecuniary interests would of course meet with his opposition and consequent failure. He should therefore be made a partner in all enterprises set on foot by foreigners; otherwise, their success would be problematical.

Yours, very respectfully, TH. J. PAGE.

The general opinion here is that President Lopez, who did not at first believe in the success of your enterprise, when he learned the near arrival of your steamboats, laid hold of the first pretext to violate the property of the company and to expel it from the country because it gave him umbrage. Under the name of the State he monopolizes all to the profit of his family, and will not permit a serious

rivalry in his commercial transactions, which embrace all branches. North American industry and energy ought, then, to be the first sacrificed.

EUG. GUILLEMOT,
Chargé des Interets Français au Paraguay.

E.

The United States and Paraguay Navigation Company, composed of citizens of different States of the Union, acting under a charter granted by the general assembly of Rhode Island, respectfully submit the following statement of their claim upon the Government of Paraguay, and the grounds thereof.

Many of the members of said company having been heretofore largely engaged in foreign commerce, and being desirous of opening the interior waters of South America to American trade and industry, trusted to the favorable disposition of the Government of Paraguay to such enterprises, as declared by the public decree of that Government of 20th May, 1845. These decrees set forth that "the supreme National Government, desiring to develop and stimulate the industry of the great body of the people of the Republic, and considering that one of the means most adequate to this result is to define and secure the conditions and rights of all who shall unite for such useful ends, decree," among other things, "article third, that whoever shall introduce into the Republic any foreign discovery shall enjoy the same advantages as if he was the inventor;" among which advantages, in article fifth, is "the exclusive enjoyment of the patent for from five to ten years;" and that law was applied by the secretary of state of that country to an enterprise such as was undertaken by this company, as appears in a letter from that gentleman, then engaged in a special mission to the court of Brazil, addressed to the then late special agent from the Government of the United States to Paraguay, dated Rio Janeiro, December 15, 1848, from which the following extract is submitted:

"In the said decree President Lopez has resolved all questions which could arise in regard to privileges and premiums. If you introduce into the country machines or new means of industry which the country does not now possess, this decree gives you the monopoly for ten years at least, and you do not require a special concession."

The official gazette contains decrees securing to foreigners further benefits of naturalization, but the members of this company preferred that their agents and employees, whether engaged in manufactures or commerce, should at all times have the protection of American citizenship, and in the prosecution of the entire enterprise they relied with the fullest confidence upon the power and the disposition of their own Government to protect from outrage and spoliation the persons and property of American citizens.

The company being prepared by the long commercial experience of some of its members, by the researches of others into all the published sources of information as to the productions of the interior of South America, and also by the personal observation of its president and of its general agent in that region, invested in the two expeditions to Paraguay a capital of some $300,000 in the purchase of sail and steam vessels, in articles of American manufacture, and in a great variety of machines and implements, such as steam engines, sawmills, cotton gins, planing machines, sugar mills, brick machines, rice mills, agricultural tools, etc., a particular inventory of which was attached to the memorial now on file in the Department of State; and sent out a large corps of mechanics and others skilled in the use of such machinery and in the care of such vessels and in the conduct of the various departments of business in which they were to be employed.

A complete account of the amount and mode of this expenditure, and of the persons and articles sent to said country, has been presented under the oath of the officers of the company. The company are ready to exhibit vouchers or any further verification thereof that the Department may require.

Notwithstanding unforeseen delays, upon the arrival of the expedition at Asuncion, the capital of Paraguay, in October, 1853, the agents of the company were received with the greatest favor. Permission to purchase land was conceded by the President; the use of Government barracks was granted to the company, free of expense, for the use of their employees; a loan of money was made upon the credit of the company for a term of two years; a large number of persons were impressed by the Government and paid by the company to work in their cigar factory and other establishments.

The President, Lopez, accepted in his official capacity the presents sent him by the company, and granted many other extraordinary facilities for their operations.

In verification of these statements we refer to the affidavit of W. E. Hines, general cashier of the company in Paraguay, hereunto annexed.

The Government of Paraguay has never denied, but makes a boast of these facts. We give an instance of its decrees for our benefit and also the letter accepting and returning presents.

"The justice of peace of Ipiané will select from the natives of the suppressed community 10 men, bachelors or married, of good conduct and assiduous in labor, and will deliver them to the citizen of the United States, Mr. Edward Augustus Hopkins, to be destined to work for him during one year in his establishment at San Antonio, with the monthly wages of $3, which he offers to pay, and providing victuals, upon the condition that every Saturday, after concluding the labors of the day, they can retire to their lodgings, and will present themselves the following Monday at daybreak; and that they will receive said salary every two months, on condition, also, that if any one of the 10 individuals should happen not to be of good character required, they will be withdrawn with less wages for the days they have had hire in proportion to that assigned to men of labor, and will be supplied by men capable of performing the labors of the contract, it being recommended to said justice of peace to make the best choice of workmen. The same order will be understood on the same terms by the justice of peace of Guarambaré."

Letter of President Lopez, accepting presents.

ASUNCION, *November 11, 1853.*

MY ESTEEMED SIR: I had the pleasure of receiving your estimable note of the 9th instant in which, pursuant to instruction, "the president and directors of the navigation company present the governor of the Republic with a flag, worked in silk by the ladies of the shareholders of the company."

I have also received another letter of the same date, in which your honor offers for my acceptance a carriage, as a gift offered to my person. You will allow me to answer you on these two referred favors, accepting as I do with due appreciation in the name of the Government of the Republic the two mentioned presents, although your honor was pleased to express that the carriage was a particular offer to my person, because, appreciating as I do this declaration, I could not help remarking an inscription on a plate adhered to said carriage, "Presented to His Excellency the President of the Republic," without expressing my name—a circumstance which does not allow my delicacy to accept it as made to my person, but to the governor, who, it is notorious, bears the title of the President of the Republic.

With this friendly explanation I am much obliged to your honor and to the company which you represent, and beg you will have the goodness to accept what the collector-general has orders to offer you as a small demonstration of the esteem and gratitude of this Government.

I have the pleasure of renewing to your honor the security of my sincere and friendly regards.

Your most obedient, CARLO ANTONIO LOPEZ.

Mr. EDWARD A. HOPKINS.
Consul of the United States.

Encouraged by this reception, and yet more by our knowledge of the products of the country, consisting among other things of valuable woods, of which twenty varieties were sent us, of a large collection of gums and resins, including india rubber, many of which were analyzed by Dr. A. J. Hayes, a copy of which analysis was presented with the original memorial to the Department of State, and which furnished every encouragement to prosecute the enterprise with renewed zeal and, still further, by the great profit of some 400 per cent realized upon the manufactured tobacco of Paraguay, the company equipped a second expedition, which sailed in June, 1854, destined directly for Paraguay.

While the company were thus engaged at home their agents had purchased a large building in Asuncion for a cigar factory, and had instructed for many months more than 100 operatives in that business; they had selected and purchased a mill site at San Antonio, 4 leagues from the capital, where their steam engine and sawmills were already in most profitable employ, and were engaged in setting up their other machinery, and had organized a system of trade with the people in the natural products of the country.

San Antonio is situated 12 miles south of the city of Asuncion, in one of the most densely populated districts of Paraguay.

Vessels of 2 feet greater draft of water can be taken alongside of the shore than can ever go to Asuncion all the year round on account of the intervening bar of Lambaré. During our possession of it its business greatly increased, and 11 vessels were there at one time loading fruits, vegetables, etc., of the country for exportation to the lower provinces. The advantage of the locality is seen at once when we remember that it is exactly opposite the southern mouth of the Pilcomayo River, which comes down from the silver mines of Potosi in Bolivia, and in full sight of inexhaustible forests in the Chaco of the finest timber in the world to be had for the cutting, and situated upon the immediate banks of the Pilcomayo which would float it to the door of our mills. The sawmill was upon the immediate bank of the river Paraguay, which presented there a natural wharf of stone sufficient for vessels drawing 15 feet of water. On the north side of the mill the Paraguay River received the permanent stream of San Antonio, the only one furnishing any water power within 1,500 miles of navigation from the ocean on either bank of the rivers Parana and Paraguay, which rivers, as d'Azara has long since published, offer no mill sites, nor sufficient declinations of stream or altitude of banks to permit the construction of dams. The sawmill in operation at San Antonio, running ten hours in the day, cut over 700 feet of timber. (See depositions of Ferguson and Boyd.) The price currents of Buenos Ayres show that the price of lumber in that market varies from 50 to 62½ cents per running vara of 34 inches. The company had sent out in the second expedition eight additional saws, knowing that Buenos Ayres is one of the largest lumber markets in the world, and the supply of timber in the forests adjacent to San Antonio was inexhaustible, and that there was no other sawmill south of the equator east of the Andes and no mill site for 1,500 miles on these rivers but our own. These saws alone would bring us $275,000 per annum. In reference to the cigar factory, the refuse or badly made cigars from the apprentices' hands, were sold at the door of the factory for $10 per thousand. (See company books.) Cigars sold in Providence at $20 and $30 per thousand (see books of the agents in Providence), cost $2.50 to $3 per thousand. (See books of the company.) Hence the net profits were 400 to 500 per cent. At the time of stoppage we were making 250,000 per month and should have been making long ere this, if unmolested, at least 1,000,000 per month. For 115 operatives (the number at work when closed), when another six months or a year had made them skillful, would make 300 per day each, or in twenty-six days, 7,800 per month, which, multiplied by 115 equals 897,000, for which estimate we refer with entire confidence to our own apprentice books now under seal and also to any cigar makers in the United States or Cuba.

We had, as proved by our books, 140 people in our employ at the time in which Lopez shut up our factories, who were gaining from $3 to $10 per month—fabulous prices to be gained by Paraguayans and never equaled before or since. What, then, would have been our gains if we had been allowed to place in operation our sugar mills, flour mill, brick machine, planing mill, cotton gins, rice mills, etc., only awaiting their turns to be put up?

The price of common brown sugar was 25 cents per pound—cost of manufacture to us, 2 cents; of bricks, $24 per thousand—to us, $3; of lumber, the running vara of 34 inches, 50 to 62½ cents—to us the manufacture, 10 cents; and all other things of first necessity in equal ratio. We should have had to-day in our employ 1,500 persons enriching and civilizing the country.

The second expedition took out some 22 additional artisans, among them machinists and engineers, sawmill men, coopers and packers, carpenters, joiners, and steamboat men for two steamers, all with their implements of industry—worthless in a country like Buenos Ayres, devoid of streams and trees. By the cooper establishment alone we expected to make many thousands of dollars per annum in saving the enormous quantity of hides wasted in Paraguay by packing in them the exports of the country, such as yerba, tobacco, sugar, molasses (far better preserved in wood), as well as in supplying the lower provinces and the cities of Buenos Ayres and Montevideo with pipes and barrels now and always worth enormous prices.

On all this machinery, by the organic law of the country, we were, and still are, entitled to from five to ten years' patent right. (See decree of May, 1845.)

Imagine such an interest in the lumber trade of the whole valley of the Parana and La Plata, to say nothing of any other branch of industry! These are the thoughts and inducements which caused us to place our capital in that distant country. We have no hesitation in saying that, to the best of our belief, the full amount of indemnity claimed by us is far below what our attention, energies, and capital would have most surely given to us. California and Australia have done much more than we claim here for men who never meddled with the mines, whereas Paraguay and adjoining countries are Californias in wealth, with as much or more to offer to the enterprising man under any government save that of Lopez. (See affidavit of Hale.)

It may well be supposed that we did not voluntarily abandon such brilliant prospects—that from no will of ours the fruits of this enterprise have turned to ashes on our lips. But it might excite surprise in a mind not familiar with the character and policy of the Government of Paraguay that its Government should wantonly break up and destroy an enterprise so fraught with benefit to that country; but to one who has traced its presumptuous folly in the rejection of our treaty and its attack upon the *Water Witch* it will be no surprise that it has treated American citizens with more indignity and wrong than it offered to the American Government, or that toward our enterprise its conduct at last has been that of high-handed outrage, spoliation, and destruction.

To those familiar with its policy by residence in those countries—to such men as Captain Page and the French chargé, Guillemot, whose statements are before the committee—its conduct toward us is capable of easy solution; and they speak not merely their own opinions, but, as they tell us, the concurrent voice of all in those countries who venture to express an independent opinion.

The cause, indeed, of the conduct of Lopez is found in two facts: First, that his Government is that of an absolute despotism, and his policy one of selfish and grasping monopoly. His Government, a titular republic, but a real despotism, greatly resembles the system of Dr. Francia in its absolute character. Lopez issues his decrees from time to time, as he pleases, proclaims them by trumpeters in the streets, posts them up in two public places, and calls them the supreme law of the land. He has what is called a council and a congress, but the power of no emperor in christendom is more absolute than that of Lopez. In fact, the official correspondence in the Department of State, from sources most favorable to him, proves, and constantly asserts, that the president is the Government of Paraguay.

He has departed from the policy of Dr. Francia, in his system of exclusion, but has only changed it; so that by his public decrees he invites foreign enterprise and intelligence to his country, and then endeavors to appropriate the benefit of the improvements and the wealth they bring to the coffers of himself and family. The Commercial Relations, vol. 1, published by our Government, show some of the decrees of monopoly which he has issued, and the frivolous reasons which he gives for them.

In these facts we find the motives of his conduct, for our success excited his jealousy. The great profits of our business tempted his selfish monopolizing spirit. He applied to our leading operatives in the cigar business, already carried on by us extensively in Asuncion, to leave our employment and establish works for him. (See affidavits of Morales, Font, Orihuela, and others, taken on the spot.) They refused; and when, afterwards, he broke up the establishment, and forbade the employees to work longer for us, though they then had $825 of advance wages from us he had not the shame to wait for our withdrawal from the country, but immediately employed the operatives we had trained in a cigar factory in the name of his son Binancio. He rewards himself further, for the manufacture of these cigars in imitation of those of Habana (some of our men were Cubans), with freedom from export duty (manufactured tobacco pays 15 per cent export duty), and 50 cents premium per thousand cigars from the national treasury.

We will now examine the methods he employed for the destruction of our enterprise.

In the first place, look at the decrees he published; in the second place, at his action against us; first indirect through the populace, and then direct and conclusive through his officials.

The depotism of the Government and its monopolizing spirit are certainly no excuse for its violation of its own published decrees, to which we referred in the opening of our statement, and upon the faith of which we acted; or for its appropriation of the processes and improvements whose introduction he favored by acts as well as by decrees, but whose continued use and profits he has taken from us, and given, a part, at least, to his son. (See Page's statement.)

The Government of Paraguay proceeded to issue certain decrees revoking the title to lands in San Antonio, imposing regulations and impossible conditions in the conduct of our business, and divesting us of the privileges we had theretofore enjoyed. Some of these decrees we append, that the committee may see at once their frivolous, arbitrary, and ex post facto character, and that it was impossible, under them, to carry on our business in the country, since, by the fifth article of the decree of August 26, 1854, it is provided that "all meetings of foreigners, except for the ostensible object of visiting and innocent diversions, are forbidden by day and by night." Nor could they any longer purchase land for the prosecution of their enterprise, for by the ninth "the sale of lands to foreigners is prohibited until further orders."

The twelfth, thirteenth, and fourteenth articles show also the animus of the Government, which is not at all relieved by the vague promise in the fifteenth.

The decree revoking the title of the San Antonio lands, admitting, for argument sake, the recital of facts which we do not, however, for a moment concede to be true (the chief of which we will soon consider), is open to these remarks: That the Government took no exception to the act of its own officer ratifying the sale until the lapse of some five months; nor does it provide for the restoration of the land to the alleged owner, but the same is to be secured to the use of the Government; nor was any compensation made to the company for their large expenditures and improvements upon it.

One of the chief reasons set up by Lopez for his conduct is the charge of fraud in procuring the title to a portion of the San Antonio lands. This is set up in his message to his congress, under date of 14th March, 1854, as well as in his decrees.

The charge is, that the mother of the minors who owned a portion of the land was induced to give the deed by the representation of our agent; that Lopez had authorized the execution of the deed without the ratification of the defender general of minors. Fortunately for us, the original document in our possession disproves this accusation. (We append a copy.) It recites in full the facts as they occurred, showing the technical legality of the sale and liberal price paid, more to the minors than the adults. No one ever complained but Lopez. He endeavored to obtain possession of the deeds, and forbade them to be carried from the country, refusing permits or passports, until Commander Page having announced that he should take the Americans away "forcibly if he must," Lopez submitted. So as to the mensuration, no one ever asked for it. But these pretexts are frivolous, as well as false, when offered in justification of his spoliation of so much property, built up under his eye and by his assistance in selling the materials and labor we used, and upon the faith of deeds bearing his rubric or seal of ratification. The provision with regard to the employment of laborers and peons practically deprived the agents of the company from availing themselves, after its publication, of any form of native labor.

There was another method of attack upon the company through the insults and abuse from the populace. Upon the first arrival in the country the people, like the Government, treated the agents and employees with marked and uniform kindness. Gradually this course of conduct changed, and insults, such as shouting after them in the streets, calling reproachful names, climbing up to the windows of the houses, throwing orange peels, cigars, and missiles into the rooms, etc., were incessant.

Complaint was made of this conduct to the police, and soldiers were stationed at the houses for protection. But the insults and abuse were more extreme and violent when the soldiers were guarding them than before. (As to this abuse, see affidavits of Hines, Morales, and others.) Of this character, and springing from the same source, came the attack upon the brother of the consul, our agent, when riding with a lady in the vicinity of Asuncion. Our people were also exposed to abusive articles in the Seminario, the official gazette of Paraguay.

In reference to the excessively abusive articles of the Seminario for a term of four months, the Comercio del Plata, of Montevido, a journal founded by the illustrious Argentine, D. Florencia Varela, said, "that some of them were written in such a repugnant manner that, through respect to decency, one ought to abstain from reproducing them." (See Seminario, No. 68.) The Tribuna, of Buenos Ayres (editorial of October 12, 1854), also in speaking of the language of Lopez in the Seminario, said: "In it he (Lopez) has used the dirtiest and most obscene language which has ever come from the mouth of any government." We might offer many proofs of the truth of these remarks, taken at random from the columns of the Seminario, and from official decrees signed by Lopez, and official notes signed by his secretary of state, but all bearing unmistakable internal evidence of his own head and hand. These diatribes were often directed against Americans in all parts of the world. (See Seminarios Nos. 67, 68, 69, 70, 83, 92, 94, some of which are exclusively devoted to this favorite topic.)

It was not by such methods alone that our enterprise was broken up and our agents expelled from the country. More summary and efficient measures were adopted by Lopez—nothing less than the actual presence of his officials in our cigar factories, mills, and workshops, forbidding the Paraguayans to work for us, closing all our establishments, and ordering the fences and sheds to be destroyed by fire. The evidence, in detail, of this forcible expulsion from our works is contained in the affidavits of Ferguson, Boyd, and Morales, taken on the spot.

Lopez, through his officials, when in the very act of forcibly closing our workshops, declared "that the Government did not care for the gilded guns of the Americans, but was prepared for any emergency that might arise." (See close of Morales's affidavit.)

We ask leave to submit some statements regarding the resources and property of Lopez from which redress for these injuries may be easily obtained.

The property of Lopez, or of the Government of Paraguay, which is composed of himself and family, is enormously large. He owns hundreds of square leagues of land and thousands of cattle, more than one-half of all the houses in the city of Asuncion, now containing nearly 25,000 inhabitants. Stores open in Asuncion, and in every other town in the country. He monopolizes the preparation and sale of the yerba maté, of which alone is exported above 175,000 arrobas per annum, and half as much more consumed in the country. (An arroba is 25 pounds.) Upon the yerba maté sold in Buenos Ayres he makes a profit of over 600 per cent. He monopolizes also the manufacture of cigars in imitation of those of Habana, and rewards himself with a freedom of export duty upon them, and 50 cents premium per thousand from the national treasury, as before stated. He also owns all the tanneries in the country, and exports, by decree, his leather free from export duties. These two last articles, namely, hides and tobacco, manufactured, pay 15 and 16 per cent export duty. He is largely engaged in commerce with England to the amount of millions per annum.

The following is the list of the steamers he is known to have had on the rivers on the date of 15th September last, all of which have been placed there since ours, which was the first upon those waters:

	Name.	Tons.	Horse-power.	Where built.
Man-of-war	Tacuaré	400	180	England.
Merchantman, propeller	Rio Blanco	900	150	France.
Merchantman, side wheel	Rio Negro	200	60	England.
Do	Ipora	250	70	Paraguay.
Do	Salto de Guayra	200	80	Do.
Do	Pampero (inn)	700	250	England.

Two others on the stocks in Paraguay. Engines, constructions, and engineers all English.

It is not difficult to perceive that Lopez has taken for himself the navigation of his rivers, opened by the labors of others, and the action of the United States Government, to the flags of all nations, in its treaty with the Argentine Confederation, of 10th July, 1853, and called "a treaty for the free navigation of the rivers Parana and Paraguay," and by subsequent treaty between Brazil and Paraguay, in 1856, opening these rivers to the commerce of the world. It is Lopez's infractions of this treaty which are the cause of the demonstrations against him at present threatened by Brazil.

Notwithstanding his narrow and selfish policy, the trade of the country is rapidly on the increase; for three years, from 1854 to 1857, by his own returns, it increased fourfold. And though commerce is carried on chiefly with him, or with houses in which he is interested, the number of arrivals at Asuncion in the single year 1854 was 160.

Could his spirit of selfish monopoly be broken, or could he be truly wise for his own interests, the commerce of Paraguay would be indefinitely increased. Its tea, capable with improved preparation of a near approach in quality to that of China, grows wild and in exhaustless abundance upon the hills of Paraguay. Its rare cabinet and dyewoods, with hides and tobacco, are already large articles of export to Europe.

And more than her own resources are those of Bolivia and the rich provinces of Brazil, on the upper waters of these rivers, which must pass her gateway. These countries are inviting the commerce of the world, and nothing but the policy of Paraguay excludes our American enterprise and commerce from their natural share.

Brazil is demanding her rights. It needs but the show of those "gilded guns of the Americans," and our rights will be promptly conceded. Time and iniquity are pressing heavily upon Lopez, and he must soon disapppear from the political world.

The hand that shall first break his prestige and his power will be a hand of blessing to his people and to the world.

SAMUEL G. ARNOLD, *President.*
STEPHEN G. MASON, *Treasurer.*
RUFUS WATERMAN,
LEWIS P. CHILD,
W. M. BAILEY,
N. F. POTTER, per R. W.,
Committee appointed by vote of the Company.

Affidavit of William E. Hines.

William E. Hines, being duly sworn, deposeth and saith:

I am a citizen of the United States. I was for two years, from March, 1853, to May, 1855, the general cashier of the United States and Paraguay Navigation Company, and sailed from the United States with the first expedition, and was for about ten months a resident of Paraguay. I went there with Mr. E. A. Hopkins, on his first trip after he was named consul to Paraguay. He was received in a very flattering manner by the President of that Republic in the presence of nearly all the Americans in the country, including the commissioned officers of the U. S. S. *Water Witch*. Many favors were allowed him by the President and people. Indeed, upon our first arrival the people of the country tried every way in their power to show us attentions, treating us kindly and hospitably, and doing all in their power to make our stay among them as agreeable as possible. From their treatment we inferred that the Government favored us and our expedition, and were our friends; for, in that country no native dare act as friend or foe without first receiving his lesson from his superiors. Gradually their kind treatment was changed, first from neglect to annoyance, and from annoyance to insults, till it became almost impossible to live in Paraguay with any comfort at all. Spies were about us to catch every word we might utter, and to watch us about our daily avocations, to repeat to their superiors every word, every act, no matter how trivial. Insults of various kinds were offered the American residents. My wife, a native of the United States, was some months resident with me in Paraguay. Her health was very delicate, and the annoyances and insults she was obliged to suffer had a serious effect upon her health. People have tried to pull her from her horse by catching at her habit when riding rapidly. Our house was beset with a crowd of native rabble, who would throw into our windows sand, stones, bones, oranges, or anything that was within their reach. Upon trying to find the offenders, all would profess innocence. These things became so aggravating that I applied to the police for protection. A show of compliance was made. A guard of soldiers was stationed under my windows one evening, but that evening there were more missiles thrown into my windows than at any one time before, and of a more dangerous character, which, of course, led me to suppose that they were projected by the very soldiers themselves.

Paraguay is nominally a republic, but it is well known that President Lopez is the head and front of all that is done in the country. His power is as absolute as that of the Czar in Russia. He controls the most valuable commerce of the country by monopolies, and the Government (Lopez) is by far the greatest merchant of the Republic.

The United States and Paraguay Navigation Company had taken out merchandise for sale, agricultural implements, and valuable machinery for operating. A sawmill had been put in operation and was doing a profitable business. A cigar manufactory, employing more than a hundred hands, had been some months in operation and was proving as successful as the most sanguine could wish, and favorable opportunities were only wanting to start all our machinery. Upon first commencing in Paraguay the Government, through the judges of peons, provided us with peons for our mechanical department, women and other laborers for our cigar factory, etc. These laborers, from being the most humble and servile of dependents, gradually began to assume importance, and through them could we perceive the feelings toward Americans, from day to day, of those in power.

Our interests were valuable, and had not our operations been suspended in the manner they were, without adding one dollar of capital from home to what we had at sailing, I doubt not would now be worth to us in Paraguay not less than $600,000. This estimate does not include two steamers and a sailing vessel, merchandise, and machinery subsequently sent from the United States by our company before they had received information of the gradual change of policy toward us in Paraguay.

The Government of Paraguay possesses ample means in silver and gold to pay any demand our Government may make upon them for reclamations for damages and losses to our company, and, in the opinion of deponent, if two or three small vessels of war were sent to Paraguay to enforce the demand there would be no difficulty in getting it settled.

Deponent further declares that had he had control of the two small steamers aforementioned, and a business been established with them between Paraguay and adjoining provinces, he would not, even at so early a day as this, have sold the business for $400,000. Their business would have been almost unlimited and the profits enormous.

WM. E. HINES.

UNITED STATES OF AMERICA, } ss.
Rhode Island District, }

In the city of Providence, this 10th day of August, A. D. 1857, subscribed and sworn before me.

JAMES W. PECKHAM,
Commissioner of the Circuit Court of the United States for said Rhode Island district to take affidavits, bail, etc.

Affidavit of William M. Hale.

The undersigned, a native of this city, 35 years of age, and a graduate of Brown University, accompanied the second expedition sent out by the United States Paraguay Navigation Company, sailing from this port on the 28th of June, A. D. 1854, in the schooner *E. T. Blodgett*, owned and freighted by said company. The freight consisted of two steamers, two sawmills, cotton gin, steam boilers, and other machinery designed for operation in Paraguay, besides several invoices of merchandise for the company's warehouse. The expedition was accompanied by competent shipbuilders, engineers, and other mechanics, including an experienced millwright.

Upon our arrival at Buenos Ayres we learned the position of affairs in Paraguay—the news of the rupture between Mr. Hopkins and President Lopez having just reached that city. In consequence of this rupture we were compelled to put up our steamers at the river Tigre, distant about 20 miles from Buenos Ayres, instead of proceeding direct to Asuncion, as we at first intended.

The steamers were, respectively, of 100 and 150 tons burden. The larger was originally planned and constructed for the navigation of the upper waters of the Parana and Paraguay rivers, her light draft rendering her especially adapted for shoal water. But as the company had at the time no larger steamer suitable for the navigation of the main river as far down as Buenos Ayres, they contemplated placing the schooner on the lower route and forming a connection with the steamer at Rosario, or some similar port, until such time as they could build or purchase a large steamer to take the place of the schooner, and then to transfer the steamer to the route from Asuncion to the upper provinces of Bolivia and Brazil. These provinces had not then been opened to commerce, and their only mode of reaching the seaboard was either by crossing the Andes to the Pacific coast or by the overland route to Rio Janeiro. Each of these journeys was tedious and expensive, thus rendering the produce of the provinces of little value in the home market, so that it could have been bought by the agents of the company at such prices as, with their facilities for bringing to market by means of their steamers, would have yielded them enormous profits, besides opening a wide field for the introduction of the manufactures of our country. In addition to this the Government of Bolivia had offered a large bounty, both in land and money, besides valuable commercial privileges, to the first line of steamers that should be successfully established between that country and the Atlantic coast, all of which would have been secured by the company had the agreement entered into by President Lopez been fulfilled.

At the time of our arrival the only steamers on the river were some old English and American propellers, which were built for ocean navigation, and were poorly adapted for navigating the river, being very slow and of deep draft. As soon as our steamer was completed she was placed on the route between Buenos Ayres and Corrientes, the highest point we could reach without entering Paraguay, and at once monopolized the travel on that section of the river. Although but a small steamer, and in some respects a third or fourth rate vessel, she did a profitable business. The price of passage at that time from Buenos Ayres to Rosario, a distance of 300 miles, was $24; and from the former point to Asuncion, a distance of about 1,000 miles, $80. This distance could easily have been accomplished by a first-class steamer in three or four days. But allowing a fortnight for the round trip from Buenos Ayres to Asuncion and back, and estimating the number of passengers at only 50 each way, with a proportionate amount of freight, and the gross receipts for a single trip would amount to $15,000. Deduct one-half of this for expenses, and the net earnings of such a steamer for one year would have amounted to $195,000. This estimate is based upon the actual amount of travel on the river, which would doubtless have been greatly increased with the improved facilities for transportation, as it has been in all similar instances.

During my residence in Buenos Ayres I saw large quantities of Paraguayan lumber, all the provinces on the river being supplied with heavy timber from that

source. The wood, in its general character, partakes of the nature of other tropical woods. It is generally heavy, compact, durable, and susceptible of a high polish, and is in general use for building purposes, as well as for cabinet work. The cedar of Paraguay, which is highly prized, is lighter than the other kinds of wood, and in its grain and finish strongly resembles the finer descriptions of mahogany, though much lighter than that wood. All this lumber was sawed by hand, leaving the surface very uneven and irregular, and unfit for market. Had the company been permitted to put their large sawmills into operation in Paraguay, the profits from this branch of business must have been incalculable, as the timber, notwithstanding the Government monopoly, could have been bought at very low rates, and the superior product of their mills would have insured them the command of the market.

But without the protection and favor of the Government, which is an absolute despotism, none of these advantages could be secured. The President, though elected by the people, is supreme dictator, not only in all matters connected with the Government, but also in all the private relations of its subjects, and no important trade can be carried on in his dominions without his consent and cooperation. Whilst, by law, enjoying a monopoly of the trade in timber and yerba, the two principal products of the country, he exercises a controlling influence in all matters of trade between his own subjects and foreigners.

A general system of espionage is established throughout the country and the adjoining provinces, even as far as Buenos Ayres, and any act committed by a resident of the country which meets his displeasure is promptly and effectually punished; if a native, by fine or imprisonment, and if a foreigner, he is driven from the country under one of the many pretexts which are never wanting to a despotic mind. This is fully illustrated by the system of petty annoyances adopted toward the agents of our company, and which no native of Paraguay would dare to perpetrate without the direct sanction of the Government.

These facts are matters of general notoriety throughout the Spanish-American provinces of the La Plata, and are gathered from frequent conversations with intelligent residents of Buenos Ayres, some of them being natives of Paraguay who had been compelled to leave their country from similar causes.

WM. M. HALE.

UNITED STATES OF AMERICA, } *ss.*
Rhode Island District, }

In the city of Providence, on this 1st day of September, A. D. 1857, sworn to and subscribed by the said William M. Hale, personally known to me to be the signer of the aforegoing statement or affidavit.

JAMES W. PECKHAM.
Commissioner of the Circuit Court of the United States for said Rhode Island district to take affidavits, bail, etc.

Decree of August 26, 1854.

ASSUMPTION, *August 26, 1854.*

Considering that some contraband trade has been discovered on the lower coasts, and some attempts have been made against public order and against the high respect due to the national authorities, it is resolved and decreed:

Article 1. From the publication of this decree every vessel which descends to the exterior will carry two officers of guard—the one to continue to the village of Pilar and the other to be relieved at the ports Villeta and the villages of Oliva and Villa Franca—each guard relieved will return by post to his respective destination. This resolution will be observed in the same manner in all vessels ascending from the exterior.

2. It is declared that pistols, all kinds of tucks, knives, and cudgels are prohibited arms. Whoever is found with these arms in the streets will deliver them to the commissaries of police or to the commanders of rounds and patrols, warning being given to the owner to present himself to the police to give satisfaction for the infraction of this regulation.

3. Every foreign officer who may have presented himself to that end to the Government of this Republic can use a sword by day and by night, having on his uniform.

4. If, unfortunately, any person that should be found with prohibited arms should refuse to give them up, according to the terms of the preceding second

article, and should proceed to make use of his arms, he will be disarmed and conducted to the chief of police for his arrest; whilst the corresponding information is remitted to the Government, it being well understood that the soldiers of the Republic in commission and of the police are not to be without their arms across.

5. All meetings of foreigners, except for the ostensible object of visiting and innocent diversion, are forbidden by day and by night.

6. Every crew of foreign vessels accidentally being in the ports of the capital will retire to their vessels at sunset, and only with express permission of the captain of the port will any particular exception be made to this order in their cases.

7. The existing order is hereby reproduced that half an hour after tattoo beating all traffic in the streets will cease, with the caution that those persons who are under a necessity of going out from their houses after that hour will take lanterns with them; and that the provision is not in force in cases of public balls and general assemblies on fast days, since the appropriate police orders are in this respect already given.

8. The public use of arms for shooting birds, at convenient hours, will continue as heretofore.

9. The sale of lands to foreigners is prohibited until further orders.

10. Preference will be given to the right of the State to purchase lands on the banks of rivers, in case an intention of alienating them exists.

11. Every sale of lands, without the requisites of law, will be held null and void.

12. Every foreigner who may have land legitimately acquired, but without judicial possession and demarcation, measurement and landmarks, will solicit from the Government these requisites within six days after the publication of this decree.

13. Every industrial or commercial factory unlicensed will be shut, if the persons interested do not take out a license within three days.

14. The use of any foreign commercial firm in the Republic is forbidden, without the express knowledge of the supreme Government.

15. Any manufacturing or commercial company can be established in the Republic, those concerned presenting themselves, in the customary form, to the Government, and will find adequate protection.

And, that it may reach the knowledge of all, let this be communicated to all concerned; let it be published by edict in the customary form, and also in the Seminario de Avisos.

Assumption, August 26, 1854, the forty-second year of the national independence.

CARLOS ANTONIO LOPEZ.
JOSÉ FALCON.

Considering the public convenience of maintaining in force, with respect to the hire of Paraguay day laborers, the existing regulations of the port of this capital concerning the wages of mariners by the month or the voyage, in order to avoid contentions, it is resolved and decreed:

ARTICLE 1. For the present, and until otherwise ordained, every contract of foreigners with Paraguay laborers, for any class of labor and occupation, will be made out by a simple document.

ART. 2. This regulation will be in force in contracts of thirty days and upwards, and will be put in execution eight days after the publication of the present decree. And, that it may come to the knowledge of all, let it be published by edict in the customary form, and also in the Seminario de Avisos.

Assumption, August 25, 1854, the forty-second year of the national independence.

CARLOS ANTONIO LOPEZ.
JOSÉ FALCON.

[Translation.]

Fifth seal of stamped paper for the year 1854.

ARMS OF PARAGUAY.—LONG LIVE THE REPUBLIC OF PARAGUAY!

In the city of Asuncion, capital of the Republic of Paraguay, on the 11th day of March, 1854, before me, the notary ad interim of the civil court, and the witnesses who subscribe, personally appeared in my office Mrs. Dña. Elenteria Bedoya, widow of Don Ramon Thomas Zelada, and legitimate guardian of her children (minor), José Joaquin, and Maria Dolores Inocencia Zelada, a native and inhabitant of this capital, in whom I place full credit and know; and she said that, hav-

ing bargained with the señor general agent of the United States and Paraguay Navigation Company, Don Edward Augustus Hopkins, to sell him a piece of land situated in the district of San Antonio, composed of 2½ cuerdas (cuerda is about 83 yards), front to the east upon the public road which leads from the capital to the country and from thence in depth to the river Paraguay, for the sum of $30 each cuerda; but that, for the greater formality and security of this contract, she wished to verify it, with the consent of the general defender of minors (judge of orphans), because the said land belongs to her said two minor children. By virtue of this request, I caused advice thereof to be given to the señor defender-general of minors, who, having come in person to this act, and being informed of all which the señora widow had said with the view of the documents of the said lands which we had then present, he, the defender-general, said that he agreed, in the name of the above said minors, that they could sell the said land to the general agent for the sum of $30 each cuerda, because that the sale which was about to be verified was only a part of the lands inherited by the minors, the greater part in depth yet remaining to them on the opposite side of the road,[1] and also that the coheirs of the said minors have sold to the same señor general agent equal portions cut off, also, from the same body of land for the sum of $25 the cuerda, which was the price to the original purchaser, who paid it, although it included the portion of land on the other side of the road, which is now dismembered and remains to the sellers, as the above-cited documents prove, and which, with due attention to the conformity and unanimity of these reflections on the part of the defender-general and the widow, this latter said that, by this present and public writing, she grants and confesses that she sells and gives in formal sale, from now forever, in the name of the above-cited minor children in favor of the above-expressed señor general agent, Don Edward Augustus Hopkins, or of those in whom may legitimately fall the right to this instrument, the above-named piece of arable land, situate in the department of San Antonio, which the above-expressed children possessed by paternal inheritance according as the already-cited documents stated, which I have returned to the widow, because they contain even a yet greater portion of land which remains with the minors. The land sold is composed of 2½ cuerdas, in latitude and in longitude, all the distance which is found by its formal and judicial recognition between the lines which limit it, which are east, front on the public road which passes through the district of San Antonio from the capital, and continues onward to the country. The opposite front, to the west, is on the river Paraguay, with the same latitude or breadth, etc. (Simple old Spanish form of documents for real estate.)

Manuel Morales, being duly sworn, presents his documents of full naturalization as a citizen of the United States, issued by the supreme court of New York October 23, 1851. He deposeth and saith: I am a native of the island of Cuba, and a naturalized citizen of the United States. I have read the note of the United States consul to the Paraguayan Government, July 25, and know that part of it which relates to insults to American citizens generally, for many months past, to be true. I have been several times insulted myself by cries in the streets, calling me brute, and barbaro, and carcaman. I am a merchant, in business in this city, and director of the cigar factory of the United States and Paraguay Navigation Company. I have been three times, twice to the chief of police and once to the judge of the peace of the district, as interpreter, with Mr. Hines, the general cashier of said company, now absent, to complain of bones, orange peels, sand, stones, etc., being thrown in at the windows of the agency. No alteration of the annoyances was experienced by these complaints. Propositions have been made to me by Nicolas Vasquez, the confidential judge of peace and man of all work of President Lopez, to seduce me from said company, promising me, on the part of the Government, all facilities which I might want to carry on the business for myself of the cigar factory, provided I would leave the employ of the said company. I went in person to the collector of the port and procured, upon the official stamp (price 50 cents), permission for Mr. John Peterson to embark his baggage at San Antonio, which I delivered to Mr. Peterson. I requested the consul to apply to the Government for permission to whip the apprentice boys in the cigar factory, in order to correct their laziness and bad habits. The punishments were asked for because without them it was impossible to keep order in the factory, and the punishments which the Government states the consul asked for at my request are the usual punishments in vogue throughout all the country. I have had cigar women saved, through my intercession, from arbitrary corporal punishment by the justices of peace. I have never sent, in the name of the consul, to the chief of police, nor do I know of anyone who has done so, to have peons and to sweep out

[1] See plan.

the cigar factory. I have sole immediate control over the factory, and the consul, in his capacity of general agent of the company, has confined himself to giving me general instructions. I was educated in Providence, and have been for several years in commercial business in the city of New York.

MANUEL MORALES.

UNITED STATES CONSULATE IN PARAGUAY.
Sworn before me this 19th day of August, in the year of our Lord 1854.

EDWARD A. HOPKINS, [L. S.]
United States Consul.

George M. Boyd, being duly sworn, deposeth and saith: I am an American naturalized citizen. I was born in Ireland, and came to the United States before I came of age, having resided in the United States twelve years. I am an engineer in the employ of the United States and Paraguay Navigation Company, and left the United States under the American flag, on board the steamer *El Paraguay*. I have lived at the establishment of said company for the last nine months at San Antonio. I have never witnessed any maltreatment of the peons, and never knew of permission being refused them to remain there when sick: on the contrary, inducements have been held out to them to remain on the premises under such circumstances. They have always had plenty to eat. Their general character was bad. They have always been very lazy and insolent, and frequently left the ground without permission, and contrary to orders. I have read the note of the United States consul of 25th July to the Paraguayan Government, and know his complaints of insults to American citizens generally to be true. I myself have been frequently hooted at on the public highway. I was present at San Antonio when Mr. Peterson embarked his baggage. The document marked A 1 is the official license under which the baggage was embarked. It was brought to San Antonio by Mr. Peterson and left there to be handed to the judge of peace. I handed it to him the first time he came to the house, and he said that it was none of his business; that it belonged to the gefe. The gefe never came for it, and it subsequently became mislaid, and has been but recently found. No inquiry of any sort was ever made after the document by the Government officers to my knowledge.

GEORGE M. BOYD.

CONSULATE OF THE UNITED STATES IN PARAGUAY.
Sworn before me this 21st day of August, in the year of our Lord 1854.

EDWARD A. HOPKINS, [L. S.]
United States Consul.

Manuel Morales, a citizen of the United States, being duly sworn, deposeth and saith: This morning, Monday, August 28, Mr. Nicolas Vasquez, justice of the peace of the district of Encarnacion, gave me a verbal order to close the cigar factory of the United States and Paraguay Navigation Company, of which I am director. I immediately communicated this order to the American consul, who sent a communication to the said Vasquez. The consul also gave me orders not to yield to verbal orders, but only to force or other competent authority. On my return from the custom-house, at half past 9 a. m., where I had been to procure some letters, I found the cigar factory closed, and inquiring by what authority it had been done, I was told by Messrs. Font and Oritruela, my assistants, that it had been done personally by the said Nicolas Vasquez, who himself dismissed the women and directed the doors to be shut up, as by order of the Supreme Government. When said Vasquez ordered me to shut up the factory in the morning he said, further, that the Government did not care for the gilded guns of the Americans, but was prepared for any emergency that might arise.

MANUEL MORALES.

CONSULATE OF THE UNITED STATES IN PARAGUAY.
Sworn before me this 28th day of August, A. D. 1854.

EDWARD A. HOPKINS, [L. S.]
United States Consul.

José Font, being duly sworn, deposeth and saith: This morning, August 28, 1854, about 9 o'clock, Nicolas Vasquez, judge of peace of Encarnacion, came to the cigar factory of the United States and Paraguay Navigation Company, of which I am one of the foremen, and asked me why the people were still working. I replied that I could not order work to be stopped without directions from the general agent of the company. To this Vasquez gave me no answer, but went into the workroom and ordered all the women and boys to get up and leave the factory, which they immediately did, and the doors were closed by Mr. Oritruela. After this Vasquez likewise left.

JOSÉ FONT.

CONSULATE OF THE UNITED STATES IN PARAGUAY.

Sworn before me this 28th day of August, in the year of our Lord 1854.

EDWARD A. HOPKINS, [L. S.]
United States Consul.

Rafael Oritruela, being duly sworn, deposeth and saith: This morning, August 28, 1854, Nicholas Vasquez, judge of peace of Encarnacion, came, about 9 o'clock, to the factory of the United States and Paraguay Navigation Company, where I am employed as one of the foremen. Said Vasquez said to me that, by order of the supreme government, the factory must be shut up and all the workmen and women must leave. I told him that my orders were not to shut up until forced to do so by some competent authority. He, the said Vasquez, then ordered the workmen to leave the establishment, and afterwards went into the back yard and ordered all the boys who were stripping tobacco to go likewise. When the work people were all gone Vasquez likewise left, and I closed the door.

RAFAEL ORITRUELA.

CONSULATE OF THE UNITED STATES IN PARAGUAY.

Sworn before me this 28th day of August, in the year of our Lord 1854.

EDWARD A. HOPKINS, [L. S.]
United States Consul.

Manuel Morales, being duly sworn, deposeth and saith: This morning, Saturday, September 9, 1854, the chief of police sent for me at half past 6 o'clock to meet him at the cigar factory of the United States and Paraguay Navigation Company. When I arrived there I found him with a soldier. He ordered me to take down the sign of the cigar factory, personally, which I refused to do unless I received orders so to do from the general agent of the company. The chief of police said that he did not recognize the general agent, and that if I did not take it down he would take me to prison. The *Water Witch* being absent, and having no protection. I could only order the sign to be taken down. It was then forced into my hands, and I was obliged by the soldier to carry it to the station house and there deliver it to the chief of police. But I declare that I did it only by force, and not willingly, as he could wish to make it appear.

MANUEL MORALES.

Sworn to before me this 9th day of September, in the year of our Lord 1854.

EDWARD A. HOPKINS,
United States Consul.

George M. Boyd, being duly sworn, deposeth and saith: I am an engineer in the employ of the United States and Paraguay Navigation Company and engaged in running the steam sawmill of said company at San Antonio. Last night, Monday, September 4, 1854, the work people employed at the mill declared that they could not work any more, as the gefe of the department was coming to-day to discharge them. This morning, September 5, they all refused to work but one, who continued at his post until 11 o'clock a. m., when the gefe came to the mill and asked how many persons we had. W. Ferguson, the millwright, replied, but one. The

gefe said that we could not work any more without permission of the President, whereupon he discharged the peon, and we were obliged to stop the mill.

GEORGE M. BOYD.

UNITED STATES CONSULATE IN PARAGUAY.

Sworn to before me this 5th day of September, in the year of our Lord 1854.

EDWARD A. HOPKINS, [L. S.]
United States Consul.

Alexander Ferguson, being duly sworn, deposeth and saith: That on Monday night, September 4, 1854, the peons at work at the sawmill of the United States and Paraguay Navigation Company, of which I am millwright, came to me and said that they could not work any more, by order of the judge of the peace. I then paid them what was due. Next morning there was only one who was willing to work, who asked me if I did not want his help. Another said he would work if I made a private contract with him and did not allow it to be known, as, if it got out, he was afraid of the consequences. We kept the mill at work until about 11 o'clock a. m., at which time several soldiers came down and demanded my presence at the house with all the peons who were at work on the place. I went to the house and found the gefe of the department, with a number of soldiers and peons. The gefe questioned me as to the number of peons then at work. I replied but one, and that the rest had refused to work and left the premises. He talked some time with the peon in Guarain, and the peon interpreted that he could not work any more without permission of the President. It is my impression that the gefe said the same; but not understanding him very well, I can not be certain. Immediately after dinner the father of the woman who cooked for us came to the house and said that he was obliged to take his daughter away by order of the judge of peace and chief, and went off with her in a great hurry, saying he was afraid to stay any longer than was necessary. Being then left entirely without help, by order of the Government, we had to stop the mill, and I had to cook my own supper. In reference to the machinery of the said company at San Antonio, it is very heavy, and utterly impossible to remove it at present without help of any kind.

ALEX. FERGUSON.

UNITED STATES CONSULATE IN PARAGUAY.

Sworn to before me this 6th day of September, in the year of our Lord 1854.

EDWARD A. HOPKINS, [L. S.]
United States Consul.

Alexander Ferguson, being duly sworn, deposeth and saith: I was millwright and major-domo of the establishment of the United States and Paraguay Navigation Company, at San Antonio. About half past 7 o'clock on Tuesday morning, September 12, Judge Basquez presented himself to me at the outer gate of the house at San Antonio, and asked me if Don Eduardo (Mr. Hopkins) had come there that morning or the evening previous. On being answered in the negative, he replied that he (Mr. Hopkins) had promised to be there, or write, by 8 o'clock that morning, for the purpose of taking an account of the property there. He retired thereafter, on saying that he would return in a short time. Soon thereafter Mr. Morales arrived with a note to me from Mr. Hopkins, and one inclosed to Judge Vasquez. Vasquez returned, and after a lengthy conversation with Mr. Morales, which Morales interpreted to me, the result was that Vasquez refused positively to take an inventory or any account of the property beyond the line of the 2½ cuerdas mentioned by him, as being the positive extent of his instructions from his government. A cuerda is about 83 yards or varas, Spanish. But Vasquez promised to make a note in the inventory of anything on the remaining portion of the land or premises. This promise he afterwards refused to fulfill. About 3 p. m., Vasquez, with several government officers and other attendants, returned to the house and informed me that they were ready to take an account of the heavy pieces of machinery in and around the house, that they might be removed early the next morning. He did so, leaving at dark, after saying that he would return on the morrow with sufficient force to remove the property. At daylight of the 13th instant the peons (laborers) began to assemble outside of the fence. About sunrise Judge Vasquez arrived with his attendants. A portion of the fences were torn up to open a new and shorter road. Afterwards more than

a hundred peons inundated the house and back yard, and some forty ox carts assembled near the house. They immediately removed the machinery, the judge checking off the articles as they passed him. We then proceeded with the inventory, including the chairs and tables which he had refused to include the evening previous. About 11 o'clock Mr. Morales, who acted all this time as interpreter, informed me that Vasquez ordered us to quit the premises immediately after concluding the inventory. This order was unexpected, as Mr. Hopkins had written to me that the decree of the Paraguayan Government allowed four days to evacuate the house and premises. They carried away everything in the house and kitchen, even to the corn for the horses. As it was impossible to remain in an empty house, I made application to the chief of the department, through Mr. Morales, for the ox carts to bring our baggage into town. It was impossible to obtain these at the customary price of 10 reals, and we were obliged to pay 14 reals, the chief saying that he had no authority in the matter. The conduct of the peons was insolent and thievish. I further state that Judge Vasquez attempted to make me sign the inventory in the middle thereof—that is to say, the portion taken the previous date. Nothing further occurred worthy of notice, after we had dispatched our ox carts, until half past 7 o'clock p. m., the said judge wanted me to sign an incomplete inventory of the company's property at San Antonio. I replied to him that it did not include the whole.

The judge's argument was that he only wished the evidence of what he had done, and that my signature would only certify to that extent and no further. He drew up a note at the post of the inventory to that effect, as I understand it, which I signed. I demanded an authenticated copy of the inventory. As it was then nearly 9 o'clock p. m., and we had no place to sleep nor anything to eat, we were compelled to leave for the general agency of the company in town, where we arrived at 11 p. m. The copy of the inventory not being ready, the judge promised to furnish one to Mr. Morales in a short time. The judge also refused to include some 5 cords of firewood in the inventory, which were indubitably on the premises. I left the house, by the positive order of the judge, with him and his people in full possession. I forgot to state that Judge Vasquez refused to include the domestic animals, i. e., horses, mules, and oxen, which were on the premises of 2½ cuerdas; the fence being torn open, they were left to wander away.

ALEXANDER FERGUSON.

Sworn to before me this 14th day of September, in the year of our Lord 1854.

EDW. A. HOPKINS,
United States Consul.

George M. Boyd, being duly sworn, deposes and says, as follows: I was engineer of the United States and Paraguay Navigation Company's establishment at San Antonio. I have read the above deposition. I was present at the taking of the inventory of the property of said company, of which the foregoing deposition speaks. In reference to the action of Judge Vasquez, the removal of the company's property and the inventory, said deposition is correct. I also signed the incomplete inventory as above described; of the remainder of the deposition I have no knowledge.

GEORGE M. BOYD.

Sworn before me this 14th day of September, in the year of our Lord 1854.

EDW. A. HOPKINS,
United States Consul.

Manuel Morales, who has heretofore deposed in these recent difficulties, being duly sworn, deposeth and saith: I went to San Antonio at the request of Mr. Hopkins to serve as interpreter, for the purpose, as he said, of preventing Messrs. Ferguson and Boyd from signing any paper which they might not understand, and which might be intended to deceive. I have read the foregoing deposition of Mr. Ferguson, and I declare that it is true in all its parts, which I witnessed after my arrival at San Antonio.

After I delivered to Mr. Vasquez a letter from Mr. Hopkins, he sent an express rider to town. He did not take any movement until the return of the messenger, at about 3 o'clock, although he had promised to commence operations at 1 o'clock p. m. Judge Vasquez attempted, with me, to make Mr. Ferguson sign a note that he (Ferguson) only allowed him to take an inventory of the things in the house.

I refused it, telling him that he well knew that Mr. Hopkins had insisted upon taking an inventory of all the property of the company at the establishment of San Antonio. Vasquez then said that the Americans were brutes and barbarians (*brutos y barbaros*), and that Mr. Hopkins did not care how he insulted the Paraguayan Government with his crazy demands. I replied to him to moderate his language—that we were civilized people. He then ceased.

MANUEL MORALES.

Sworn to before me this 14th day of September, in the year of our Lord 1854.

EDW. A. HOPKINS,
United States Consul.

Alexander Ferguson, millwright, and George M. Boyd, engineer, being duly sworn, depose and say, in answer to a demand from us of E. A. Hopkins, general agent of the United States and Paraguay Navigation Company, that the average day's work of about 10 hours of the steam sawmill of the said company at San Antonio would cut more than 700 running feet of lumber.

ALEXANDER FERGUSON.
GEORGE M. BOYD.

Sworn to before me this 18th day of September, in the year of our Lord 1854.

EDW. A. HOPKINS,
United States Consul.

UNITED STATES CONSULATE, ASCUNSION.

Certified to by me as a true and faithful copy of the original deposition now on file in this office. In proof whereof, I have caused the seal of my consulate to be hereunto affixed, this 25th day of September, in the year of our Lord 1854.

EDW. A. HOPKINS,
United States Consul.

February 11, 1858.

[Senate Report No. 62.]

Mr. Mason made the following report:

The Committee on Foreign Relations, to whom was referred the resolution of the Senate instructing them to inquire "whether it is in the contemplation of the Government of Turkey to send to this country an officer of rank in their Navy with a view to obtain information concerning American improvements in naval architecture and equipment, and to superintend the construction of one or more vessels of war for the Turkish Navy at the shipyards of this country, and in such case whether any and what steps should be taken by this Government to manifest its good will toward the Government of Turkey by giving to such officer an appropriate reception and otherwise to further the objects of his mission," have had the same under consideration and now report:

To obtain the information required, the committee communicated the resolution of the Senate to the Secretary of State and received in reply from him a copy of a letter from the Hon. Carroll Spence, minister of the United States at Constantinople, to the Secretary of State, informing this Government of the purpose of the Government of Turkey to send to the United States Vice-Admiral Mehmed Pasha, of the Turkish Navy, accompanied by other officers, to superintend the construction of a three-decked ship which the Sultan had ordered should be constructed at one of the shipyards of the United States, and that the minister of foreign affairs of the Sublime Porte had asked of Mr.

Spence such letters of recommendation for the vice-admiral to the officers of this Government as would best facilitate the objects of his mission. The letter of Mr. Spence accompanies this report.

The committee agree with the minister that the mission referred to is one of interest to the country, not only as evidence of the confidence of the Government of Turkey in the skill of our naval architects and mechanics, but also of a like confidence in the liberal disposition of the Government of the United States to extend to that of Turkey every advantage in their power to insure the construction of a vessel that may realize the high expectations justly formed by the Sultan from the science and skill of the naval constructors of the United States. And the committee are further of opinion that the occasion is a fit one to renew to the Government of the Sultan evidences of the good will and friendly feeling of the United States by receiving this high officer of that Government in a manner becoming his rank and the character of his mission.

Such occasions of international courtesy are not without their fruits in cementing the good will and conciliating the good offices of nations toward each other, whilst their mutual interests are advanced by encouraging intercourse, and thus opening new channels of commerce.

As a like instance, the committee advert to the reception given under the sanction of Congress, in the year 1850, to Amin Bey, an officer of the Turkish navy, and who came to the United States to travel for general information, with the sanction of his Government, though not otherwise introduced than by our own minister.

The committee append to this report the letter of Mr. Spence, and his correspondence with the Government of Turkey.

Mr. Spence to Mr. Cass.

[Extract.]

[No. 52.]

LEGATION OF THE UNITED STATES,
Constantinople, November 8, 1857.

SIR: I have the honor to inclose you a copy of a letter addressed to me by His Highness Ali Pasha relative to the visit of Mehmed Pasha to the United States.

From this letter you will learn that the Sultan has determined to construct a vessel of war of three decks in the United States, and that I am requested to furnish Mehmed Pasha with letters to such of our public functionaries as may be of service to him in carrying into effect the intentions of the Sultan.

The Turkish authorities are particularly desirous that the vessel should not only be one which will justify the Sultan's choice of the country in which it is to be constructed, but they appear very desirous that the Pasha should be received with becoming distinction in our country.

The opinion which some individuals would be pleased to promulgate here, relative to the want of sympathy on the part of our Government for Turkey, renders them particularly solicitous in reference to the action of our Government in this matter. Since my stay here, it has been my endeavor to correct any opinion unfavorable to my Government, and I am glad that the Sultan has given me a palpable proof of the success of my efforts. This proof, however, elicits from me a sincere desire that our Government should testify its appreciation of the friendly disposition of the Sultan and of the compliment paid our mechanics by him by extending toward his agent such acts of courtesy as would be gratifying to him.

I would therefore suggest to you the propriety of appointing some person on the part of our Government to receive the Pasha, and of inviting him to make a tour through the United States at the expense of the Government.

This is the first time a Turk of any distinction has visited our country; and as the visit on this occasion is connected with a matter which will redound to the benefit of our mechanics it would, in my opinion, be both proper and politic on

the part of the Government of the United States to treat him in such a manner as would be gratifying to the Sultan.

A few years ago Congress appropriated $10,000 to defray the traveling expenses of a Turkish officer of inferior rank, without any political distinction; it would therefore be mortifying to a Pasha to be treated with less consideration.

I have every reason to believe that the action of our Government toward Mehmed Pasha will be particularly noticed by the Sultan and by the Sultan's brother-in-law, who is now minister of the Turkish marine.

* * * * * * *

Mehmed Pasha will be accompanied by one or more Turkish officers who speak English.

Perhaps it would be well for me to inform you that when the treaty between Turkey and the United States was made the Turks insisted upon inserting in the treaty a stipulation concerning the construction of vessels in the United States. This stipulation was, however, omitted, and assurances were given the Ottoman Government, by the negotiators of the treaty, that the Government of the United States would, whenever the Sublime Porte desired to construct vessels in the United States, give its agents the benefit of its advice, etc.

I have the honor to be your obedient servant,

CARROLL SPENCE.

[Translation.]

SUBLIME PORTE, DEPARTMENT OF FOREIGN AFFAIRS,
November 5, 1857.

Mr. MINISTER: The vice-admiral, Mehmed Pasha, accompanied by Maj. Suliman Efendi, proceeds to America, by order of the Imperial Government, in order to superintend the operations of building a three-decked vessel, which the imperial admiralty has determined to have constructed in a shipyard of the United States.

I have the honor to request you, Mr. Minister, to be so good as to write and transmit to me letters of recommendation for that superior officer to such of the authorities as you shall deem proper, the assistance of whom is indispensable to facilitate the accomplishment of his mission.

I embrace this opportunity to offer to you, Mr. Minister, the assurance of my perfect consideration.

ALI PASHA.

Mr. CARROLL SPENCE,
Minister resident of the United States
of America at Constantinople.

And in consonance with these views, recommend the adoption of the accompanying joint resolution.

April 28, 1858.

[Senate Report No. 212.]

Mr. Mason made the following report:

The Committee on Foreign Relations, to whom was referred the letter of the Secretary of the Navy, of the 21st instant, and the correspondence accompanying it, containing information of the condition of the United States ship *Susquehanna* on her late arrival at Port Royal, in the island of Jamaica, having the yellow fever on board, and of the reception and assistance extended to the officers and crew by the British naval authorities of that island, communicated to the Senate pursuant to their resolution of the 19th April, have had the same under consideration and now report:

It appears from these documents that the United States ship *Susquehanna*, having on board 103 cases of yellow fever of the most malig-

nant type, including officers, engineers, and seamen, arrived at Port Royal, Jamaica, at 8 o'clock p. m., on the 5th of April. As soon as the condition of the ship was made known to Admiral Sir Houston Stewart, commanding the British naval forces on that station, the most prompt and efficient measures were taken by him at once for the relief of the infected ship. Orders were issued, and carried into immediate execution, to prepare ample accommodation for the sick at the naval hospital of the port. Surgeons volunteered, in addition to the hospital corps, and with nurses and other necessary attendants were directed to be in readiness to receive them; and so speedily were all these preparations made that at 6 o'clock the next morning they commenced landing the sick and conveying them to the hospital; in which service they were assisted by the boats of the British squadron, bringing with them cots for the accommodation and comfort of the sick.

In speaking of it, Captain Sands says:

I can not find words to express my sense of obligation to Admiral Stewart for the kind and prompt manner in which he placed the royal naval hospital at our disposal, and furnished us with every convenience for landing the sick; nor to Dr. Kinnear, deputy medical inspector, and the medical officers under him, for their attention to the comforts of those placed under their charge. I also take great pleasure in mentioning that Commodore Kellett and Captain Hay, of the *Indus*, came to offer their assistance, with boats and cots to land the sick.

Captain Sands also adds:

As I had but one surgeon left, and fearing he might also fall sick during the passage home, I applied to Admiral Stewart for a medical officer, and, previous to our departure from Port Royal, he sent us Assistant Surgeon Rose, who kindly volunteered his services.

It appears that 79 of the crew and 6 officers, making 85 in all, were thus confided to the generous hospitality and care of the British naval authorities at Jamaica, and were left there when the *Susquehanna* sailed for the United States. And your committee do not doubt that to this prompt and efficient relief the country will be indebted for many valuable lives saved for its future service.

They append to this report, along with the official correspondence of Captain Sands, a letter addressed to the chairman of the committee by Lieut. S. Ledyard Phelps (one of the officers of the *Susquehanna*), in reply to a letter of inquiry addressed to him by the chairman, as more full in its detail than the official correspondence permitted.

And as, in the opinion of the committee, eminently due and becoming the occasion, they recommend the adoption of the accompanying joint resolution.

NAVY DEPARTMENT, *April 21, 1858.*

SIR: In reply to the resolution of the Senate of April 19, 1858, directing the Secretary of the Navy "to communicate to the Senate copies of any correspondence or other papers containing information of the condition of the U. S. S. *Susquehanna*, on her late arrival at the island of Jamaica, and of the reception and assistance extended to her officers and crew, disabled by sickness, by the naval and civil authorities of Great Britain at that island," I have the honor to transmit herewith copies of all the correspondence and information on the files of the Department.

I am, respectfully, your obedient servant,

ISAAC TOUCEY.

Hon. JOHN C. BRECKINRIDGE,
President of the Senate.

UNITED STATES SHIP SUSQUEHANNA,
New York Harbor, April 15, 1858.

SIR: I have the honor to report to you the arrival of this ship at New York, having had 155 cases of yellow fever on board, 85 of which were left at the hospital at Port Royal, Jamaica.

For the information of the honorable Department, I have to state that after lying over one hundred days in San Juan de Nicaragua, with an average sick list of about 15, the first case of fever made its appearance on the 17th ultimo; then a second; then a third, when I thought it advisable to put to sea, hoping that a change of air would dispel the disease. After a few days the ship returned off San Juan and anchored outside. She remained there three days, with some slight modification of the fever, but it again broke out with greater violence. I then got underway and stood toward Aspinwall, expecting to meet the *Jamestown*, Commander Kennedy, whom I had instructed to relieve us on the 1st of April, this ship to take her place, thinking that a change of position might be favorable to the health of both ships. On our way down to Aspinwall fresh cases continued to occur, particularly among the lieutenants and engineers, the first and second of the former being down and others complaining. I now determined, at the suggestion of the surgeon, to steer for Pensacola. After standing for that port for some hours, and the fever continuing to extend its ravages, there being nearly 100 down, at the request of the surgeon I changed our course for the island of Jamaica, where I arrived about 8 o'clock in the evening of the 5th of April.

The admiral of the port, Sir Houston Stewart, on hearing of our condition, kindly placed the naval hospital at our disposal, and at 6 o'clock the next morning we landed 63 of our sick. I then had to take coal and water on board at Kingston, which detained us a part of three days. The ship being now disabled—3 lieutenants and 6 engineers being sick, besides half the firemen and coal heavers and many of the most valuable of the men off duty—I shipped about 30 negroes, and, agreeably to the recommendation of the surgeon, I deemed it advisable to proceed at once to a northern port.

The whole number of cases, from the 17th of March to the 15th of April, was 155, 85 of which were left at the hospital at Port Royal, Jamaica. There remains on the list to-day 34 cases. We have had, in all, 16 deaths; among these was First Lieutenant Queen, of the Marine Corps.

Lieutenant Howell and 4 engineers were left at the hospital, doing, I hope, well.

Since leaving Port Royal we have had 2 deaths and some addition to the number of cases; but generally, on approaching a colder climate, all seem to improve, and we have had no new cases for the last forty-eight hours.

I beg leave to forward three letters from Surgeon Pinkney, who was taken down in the commencement of the epidemic; also, one from Passed Assistant Surgeon Maccoun, from whom I have received the most valuable services during this severe visitation. As I had but one surgeon left, and fearing he might also fall sick during the passage home, I applied to Admiral Stewart for a medical officer; and, previous to our departure from Port Royal, he sent us Assistant Surgeon Rose, who kindly volunteered his services.

I can not find words to express my sense of obligation to Admiral Stewart for the kind and prompt manner in which he placed the royal naval hospital at our disposal, and furnished us with every convenience for landing the sick; nor to Dr. Kinnear, deputy medical inspector, and the medical officers under him, for their attention to the comforts of those placed under their charge.

I also take great pleasure in mentioning that Commodore Kellett and Captain Hay, of the *Indus*, came to offer their assistance, with boats and cots to land the sick.

I have left instructions with Mr. Harrison, our consul at Kingston, relative to the sick at the hospital, and have drawn a bill on the Navy Department in his favor for $1,500, to cover any necessary expenses that might occur until further instructions should be received from the Department.

I have only to add my great regret at being obliged to leave my station without instructions from the Department; but the circumstances of the case rendered it absolutely necessary.

I have the honor to be, your most obedient servant.

JOSHUA R. SANDS,
Captain, United States Navy.

Hon. ISAAC TOUCEY,
Secretary of the Navy, Washington, D. C.

UNITED STATES STEAM FRIGATE SUSQUEHANNA,
San Juan Del Norte, March 2, 1858.

SIR: In consequence of three deaths having suddenly occurred on board this ship in the brief space of four days, and another of the crew being extremely ill, it becomes my duty to recommend that you leave this port and cruise outside. The disease at present is a marked one, and I am unable to define its true character. I am fearful, however, that we are threatened with an epidemic fever. Cruising outside will tend toward the free ventilation of the ship—a matter of great importance. It will also enable us to separate the sick from the well.

I am, sir, very respectfully, your obedient servant,

NINIAN PINKNEY,
Surgeon, United States Navy.

Capt. J. R. SANDS,
Senior Captain Home Squadron, San Juan Del Norte.

UNITED STATES FRIGATE SUSQUEHANNA,
Off San Juan Del Norte, March 31, 1858.

SIR: During the five days we cruised off San Juan there was a modification in the cases admitted. Since, however, we returned and anchored outside of the port of San Juan, the disease has become aggravated, and the sick list has rapidly increased. I would therefore recommend you to proceed at once to Aspinwall, in order to take in coal, so as to enable you to go to Pensacola, where the sick can have hospital treatment.

I am, sir, very respectfully, your obedient servant,

NINIAN PINKNEY,
Surgeon, United States Navy.

Capt. J. R. SANDS,
Senior Captain Home Squadron, off San Juan Del Norte.

UNITED STATES SHIP SUSQUEHANNA,
Off Port Royal, Jamaica, April 7, 1858.

SIR: Availing ourselves of the permission so kindly granted us by Admiral Sir H. Stewart, we have sent some 73 cases to the hospital at Port Royal. The epidemic continues to rage with unabated fury, the average number during the last thirteen hours being at the rate of one per hour.

It is all-important that we should leave this port at the earliest hour practicable, so soon as you shall have taken the coal on board. I would recommend you to proceed to a northern port. I make this recommendation upon a careful consideration of all the circumstances by which we are surrounded. The sooner we make a northern climate the quicker will the epidemic be arrested. I would, therefore, impress upon you the importance of proceeding as rapidly as possible to either one of the following ports: New York, Norfolk, or Boston. In many respects I should give preference to New York.

I am, sir, very respectfully, your obedient servant,

N. PINKNEY,
Surgeon, United States Navy.

Capt. J. R. SANDS,
Commanding U. S. Frigate Susquehanna, off Port Royal, Jamaica.

UNITED STATES FRIGATE SUSQUEHANNA,
At Sea, April 2, 1858.

SIR: The disease with which we have to contend is yellow fever. One of the crew is in a dying state. He was seized with black vomit this morning. The epidemic is increasing and becoming more aggravated. Of the wardroom officers there are on the list Lieutenants Brown, Queen, and Hamilton. Steerage officers: Assistant Engineer Grier, Henderson, King, and Robie. Forward officers: William Laighton, carpenter, and Mr. Gallagher, sailmaker. I would recommend you

to proceed forthwith to Jamaica, and having taken in coal there to go to some port in the United States.

I am, sir, very respectfully, your obedient servant,

NINIAN PINKNEY,
Surgeon, United States Navy.

Capt. J. R. SANDS,
Senior Captain Home Squadron at Sea.

UNITED STATES STEAM FRIGATE SUSQUEHANNA,
At Sea, April 5, 1858.

SIR: As the severe epidemic with which we are visited does not abate, and our sick list has increased to 97 cases (many of which are of a very serious nature and require more care and nursing than can possibly be given to them on board ship), I would advise that the worst cases should be immediately removed to the hospital upon our arrival at Port Royal, Jamaica.

In order to stop the progress of the disease, I would strongly recommend and urge that this ship should proceed to a northern station[1] as soon after her arrival in Port Royal as possible.

I am, sir, with much respect, your obedient servant,

ROBERT T. MACCOUN,
Passed Assistant Surgeon, U. S. Navy.

Capt. JOSHUA R. SANDS,
Commanding U. S. Steam Frigate Susquehanna.

UNITED STATES SHIP SUSQUEHANNA,
Harbor of New York, April 15, 1858.

SIR: As I consider the severe epidemic which has visited this ship has its origin in the unhealthy condition of her hold, and that everyone is in danger who remains on board, I would respectfully recommend that the officers and men be removed from her as soon as possible.

Very respectfully, your obedient servant,

ROBERT T. MACCOUN,
Passed Assistant Surgeon.

Capt. JOSHUA R. SANDS, *Commanding.*

WASHINGTON, *April 26, 1858.*

DEAR SIR: I had the honor to receive, Saturday evening, your note requesting me to give you a statement of the circumstances under which we were received by the naval authorities at Port Royal, Jamaica, on our arrival there in the frigate *Susquehanna*, embracing the condition of the crew and what was done for their relief.

In replying, I shall endeavor to avoid giving way to feelings that naturally arise on recalling the scenes on board on the night of the 5th instant, and which might give an exaggerated tone to what should be a simple narrative of facts.

When on the night of the 1st instant or morning of the 2d it was determined that the ship must be taken north, her head was first turned toward Pensacola, via Old Providence Island, where it was proposed to get coal; but before arriving there the sickness had spread to such an extent that the hospital stores of every description were giving out, and it was necessary to hasten to the nearest port where supplies could be obtained. The course of the ship was changed and all speed made for Port Royal, the nearest and at the same time for us the best port in the West Indies.

To keep the ship in any degree ventilated in the close and hot atmosphere of that sea, it was necessary to furl the awnings over the principal hatchways; yet between decks the air was too foul and heated for the sick. The officers affected, two-

[1] Not south of New York.

thirds of all on board, were under an awning abaft the mizzenmast, while the men were beneath the hurricane deck (extending between the wheelhouses) and near the hatchways upon the berth deck. These places, affording cover from the sun and night dews as well as the best ventilation it was possible to obtain, were the only spaces in the ship at all suitable for her suffering crew. These were crowded to a degree that greatly aggravated the disease. A foul and pestilential miasma rose from them and, spreading over other parts of the vessel, poisoned the atmosphere and rendered it even offensive, while its effects were alike disastrous to the well and sick, accelerating the ratio of new cases, and increasing the violence of the disease. Men just taken were, of necessity, placed in the already crowded spaces occupied by those in more advanced stages of the disease, and where there was no escape from witnessing, upon every hand, distress, danger, and death, effects of the disease of which they themselves now suffered. Under such circumstances a large portion were rapidly approaching the last stage, the terrible "black vomit."

The *Susquehanna* anchored at Port Royal at 8 p. m. on the 5th instant, having on board 103 cases in every stage of the yellow fever. The officer of the visiting boat, from Admiral Sir Houston Stewart's flagship, was told of the condition of our ship. He returned to inform his commander, who was in the midst of a ball on board, given as a parting entertainment to friends in Kingston. At once every assistance it was possible to render us was most generously extended by the admiral, by those under him, and by the surgeons of the hospital. A portion of this fine establishment was cleared of their sick and prepared for the reception, at an early hour in the morning, of ours. Nurses and watchmen were procured to care for our people, while barges were got in readiness to remove them to the shore. In the morning boats came from the different vessels to tow to the point those in which our sick had been placed. Fifty-seven men and 6 officers were removed to the hospital. Subsequently, of new cases occurring in port, 22 others were sent, those cases more easily treated being retained on board.

Of the 85 left in Port Royal it may be safely affirmed that one-half would have perished had they remained on board ship; but under the skill and watchful attendance of the English surgeons, the excellent nursing, the comforts and conveniences of that fine hospital, and, in short, the unremitting care of everyone about them, but few had died when we sailed, and a large portion were in a fair way of recovery. Water was sent to us by the admiral, that the benefit of a change in this might be tried. A wharf at the coal depot, Kingston, was cleared in order that our ship might at once be taken there to get in the supply of fuel needed. It would have been impossible for the authorities to have manifested greater solicitude or to have rendered more prompt, efficient, or generous aid. Only those who have been thus situated can fully understand how such kindness and sympathy can be appreciated. Without the aid thus promptly and generously afforded it is my opinion that the *Susquehanna* could not have been brought to the United States, unless by sending out another steamer to tow her.

Every exertion was made by us to stay the ravages of the disease. Things that had come in contact with the sick or dead were burned, disinfecting agents used, and all means adopted likely to be of service, but the epidemic progressed. Twelve and 14 cases daily occurred among a number less than 200 remaining well after the removal of the sick to the hospital, so that after a few days none were likely to remain well to guard the ship. The surgeon had the fever and the assistant surgeon was in delicate health. Under such circumstances Asst. Surg. Frederick H. Rose, royal navy, himself enjoying no immunity from the disease, volunteered his services on board for the passage to the United States, and the admiral expressed himself happy that he could permit one of his officers to follow his generous impulse and be useful to us.

It is only necessary that I should state these facts for you justly to appreciate his merit, as well as the kindness extended to us by the English officers at Jamaica, whence, favored by cool breezes and auspicious weather, we were enabled to bring the vessel into port under more favorable circumstances than could have been ordinarily anticipated.

I am, sir, respectfully, your obedient servant,

S. LEDYARD PHELPS,
Lieutenant, United States Navy.

Hon. J. M. MASON, *United States Senate.*

[See pp. 5, 7, 12, 19, 77.]

May 28, 1858.

[Senate Report No. 285.]

Mr. Mason submitted the following report:

The Committee on Foreign Relations, to whom was referred the resolution of the Senate instructing them "to inquire whether any legislation is necessary to enable the President of the United States to protect American vessels against British aggression in the Gulf of Mexico or elsewhere," and to whom has also been referred "the message of the President of the United States communicating, in answer to a resolution of the Senate, information concerning the recent search or seizure of American vessels by foreign armed cruisers in the Gulf of Mexico," have had the same under consideration and now report:

The documents accompanying the message of the President show a series of aggressive acts on the commerce of the United States in the Gulf of Mexico and off the West India Islands, by the naval forces of Great Britain, of a character so marked and extraordinary as to have fixed the attention of the country.

American vessels pursuing the paths of lawful commerce on the high seas, or passing near the American coast from one domestic port to another under the flag of their country, have been pursued, fired into, and compelled to stop, by the public force of a foreign power; questioned as to their destination, their cargo, and the character of their crews; required to submit to an examination of their sea papers, and to a scrutiny into the objects and purpose of their voyage.

In another instance, American vessels anchored in the harbor of a friendly power, at the port of Sagua la Grande, in the island of Cuba, have been subjected to a police inquisition by the same foreign power, and in like manner required to exhibit their papers, and to submit to question as to their destination, the cause of their absence from home, and the number and character of their crews.

It would appear from the letter of the consul of the United States at Habana (a document accompanying the message) that no less than 15 American vessels, lying in the harbor, or in port at Sagua la Grande, were made to undergo this humiliating system of espionage; whilst 6 vessels on the high seas, in the Gulf of Mexico, bearing their country's flag, were, as above stated, by actual exhibition and use of force, endangering, in some instances, the lives of those on board, compelled to stop and submit to detention until a boarding officer was satisfied in such questions as it was his pleasure to put.

Besides the instances above cited, officially communicated with the President's message, in reply to a call of the Senate, each successive arrival from the infested quarter brings intelligence of new and additional aggressions of like character committed by the same power on vessels bearing the flag of the United States.

It has occasionally happened heretofore, under circumstances of misapprehension, a misconstruction of orders, or from other and like causes, that vessels of the United States have been subjected by the armed force of a foreign power to visitation and search in violation of international law and in derogation of the independence of our flag; and in such isolated cases the honor of the country may have been sufficiently vindicated by a disclaimer of intended wrong or by rebuke of the officer offending. But the continuous and persevering charac-

ter of the aggressions now brought to the notice of the country, committed by a power with whom we are at peace, and almost within sight of our shores, are sufficient to arouse the just indignation of the country, and call, in the opinion of the committee, for the most prompt and efficient measures to arrest at once and to end finally and forever the commission of like indignities to our flag.

The documents accompanying the message disclose the fact that these acts of visitation and examination of American vessels were sought to be justified under the plea of necessity for the suppression of the slave trade, supposed to be or actually carried on between Africa and the island of Cuba.

The committee will not go into any inquiry in reference to such alleged necessity. It is sufficient for them to know that the assent of the United States, although often invoked, has never been yielded to any such system of police on the seas. They rest on the position, not to be controverted, that by no principle of international law can a vessel under the flag of its country be visited or detained on the high seas in time of peace by any foreign power under any pretext or for any purpose whatever without the consent of those over whom the flag waves.

Without going at large into the questions heretofore involved as to the rights of independent nations on that common highway of the world, the open sea, the committee deem this, nevertheless, a fit occasion to declare the principles always maintained by the United States as regulating the use of the open or high seas in time of peace, and from which are derived rights to the people of the United States admitting of no restraint or qualification and to be maintained at whatever cost.

There is no right of visitation, far less of search, to be exercised in time of peace by any nation on the ships or vessels of other nations, nor can there be so long as the laws of the civilized world touching the freedom of the seas are respected by civilized men. Such claim, therefore, having no foundation in law or in the comity of nations, can never be tolerated by an independent power but in derogation of her sovereignty. Neither is there any distinction to be drawn in the claim of right between visitation at sea by the armed vessels of a foreign power when unattended by examination or search or such visitations when so attended.

The offense and violation of public law consists in the visitation, without regard to its purpose, when claimed as a right against the will of the party subjected to it; were it otherwise, there would follow, of course, the correlative right to arrest and detain the vessel until the visitation is effected.

The committee find these principles admitted and enforced by the opinions and the decisions of the most eminent judicial authorities, both in this country and in Great Britain.

(The case of the *Mariana Flora*, in the Supreme Court of the United States, reported in 11 Wheaton, p. 1. And in England the case of *Le Louis*, decided by Lord Stowell in 1817 and reported in Dodson's Admiralty Reports, vol. 2, p. 210.)

They are founded in two simple elemental principles of public law: First, in the equality of all independent States, and, second, the common use by all recognized States of the open sea as a highway in time of peace.

Such are the rights and immunities of our citizens navigating the ocean, which have been flagrantly violated and outraged by armed

vessels of a foreign power in time of profound peace, and in some instances almost within sight of our own shores.

Indignant as the American people are, and ought to be, at the character and persistent repetition of such aggressions, yet their occurrence and gravity will opportunely supply the occasion to end, now and forever, all future question as to this right of visitation at sea between the United States and the offending power.

And the committee refrain only from recommending at once such additional legislation as would be most effectual to protect the commerce of the country from aggressions of the character thus brought to the notice of the Senate, from the fact that the President (as shown by the letter of the Secretary of the Navy accompanying the message) has already ordered all the disposable naval force of the country into the infested quarter, with orders "to protect all vessels of the United States on the high seas from search or detention by the vessels of war of any other nation." These are preventive measures only, and temporary in their character, but, in the judgment of the committee, go to the full extent of the power of the Executive in the absence of legislative provision. It is believed, however, they will arrest for the present further like offenses in the quarter whence they have proceeded.

It appears further from these documents that the altered state of the relations between the United States and Great Britain, which must arise from this aggressive conduct of her armed vessels, has been already brought to the notice of that power by communications from the Secretary of State, addressed both to the British minister here and to the minister of the United States at London.

It can not be known until the result of these communications is laid before Congress how far the acts in question will be avowed or disclaimed by the Government held responsible. It is the earnest hope of the committee that the course that Government may adopt will be of a character to satisfy the just demands of this Government and at the same time to furnish a guaranty against the repetition of the offense. Nothing short of this, in the opinion of the committee, will be compatible with peaceful relations between the two countries.

In the present posture of the affair, therefore, the committee forbear from recommending any additional legislation to enable the President to protect American vessels on the high seas from the aggression of foreign powers. But they will not forbear the declaration that such legislation must be promptly supplied should the result show that it is needed to afford instant and full immunity to our vessels engaged in lawful commerce on the high seas from all arrest, molestation, or detention under any pretext or from any quarter.

In conclusion, the committee recommend the adoption of the following resolutions:

Resolved, as the judgment of the Senate, That American vessels on the high seas in time of peace, bearing the American flag, remain under the jurisdiction of the country to which they belong; and therefore any visitation, molestation, or detention of such vessels by force or by the exhibition of force on the part of a foreign power is in derogation of the sovereignty of the United States.

Resolved, That the recent and repeated violations of this immunity committed by vessels of war belonging to the navy of Great Britain, in the Gulf of Mexico and the adjacent seas, by firing into, interrupting, and otherwise forcibly detaining them on their voyage, requires, in the judgment of the Senate, such unequivocal and final disposition of the subject by the Governments of Great Britain and the United States touching the rights involved as shall preclude hereafter the occurrence of like aggressions.

Resolved, That the Senate fully approves the action of the Executive in sending a naval force into the infested seas with orders "to protect all vessels of the United

States on the high seas from search or detention by the vessels of war of any other nation." And it is the opinion of the Senate that if it becomes necessary such additional legislation should be supplied in aid of the executive power as will make such protection effectual.

[See pp. 11, 16, 25, 32, 33, 78, 119, 120, 199, 219, 276, and Affairs in Cuba, Vol. VII.]

THIRTY-FIFTH CONGRESS, SECOND SESSION.

January 24, 1859.

[Senate Report No. 351.]

Mr. Slidell made the following report:

The Committee on Foreign Relations, to whom was referred the bill (S. 497) "making appropriations to facilitate the acquisition of the island of Cuba, by negotiation," have had the same under consideration, and now respectfully report:

It is not considered necessary by your committee to enlarge upon the vast importance of the acquisition of the island of Cuba by the United States. To do so would be as much a work of supererogation as to demonstrate an elementary problem in mathematics, or one of those axioms of ethics or philosophy which have been universally received for ages. The ultimate acquisition of Cuba may be considered a fixed purpose of the United States, a purpose resulting from political and geographical necessities which have been recognized by all parties and all administrations, and in regard to which the popular voice has been expressed with a unanimity unsurpassed on any question of national policy that has hertofore engaged the public mind.

The purchase and annexation of Louisiana led, as a necessary corollary, to that of Florida, and both point with unerring certainty to the acquisition of Cuba. The sparse and feeble population of what is now the great West called in 1800 for the free navigation of the Mississippi and the enforcement of the right of deposit at New Orleans. In three years not only were these privileges secured, but the whole of the magnificent domain of Louisiana was ours. Who now doubts the wisdom of a measure which at the time was denounced with a violence until then unparalleled in our political history?

From the day we acquired Louisiana the attention of our ablest statesmen was fixed on Cuba. What the possession of the mouth of the Mississippi had been to the people of the West that of Cuba became to the nation. To cast the eye upon the map was sufficient to predict its destiny. A brief reference will show the importance attached to the question by our leading statesmen, and the steadiness and perseverance with which they have endeavored to hasten the consummation of so vital a measure.

Mr. Jefferson, in a letter to President Madison, of the 27th of April, 1809, speaking of the policy that Napoleon would probably pursue toward us, says:

> He ought to be satisfied with having forced her (Great Britain) to revoke the orders on which he pretended to retaliate and to be particularly satisfied with us, by whose unyielding adherence to principle she has been forced into the revocation. He ought the more to conciliate our good will, as we can be such an obstacle to the new career opening on him in the Spanish colonies. That he would give us the Floridas to withhold intercourse with the residue of those colonies can not be doubted. But that is no price, because they are ours in the first moment

of the first war, and until a war they are of no particular necessity to us. But, although with difficulty, he will consent to our receiving Cuba into our Union to prevent our aid to Mexico and the other provinces. That would be a price, and I would immediately erect a column on the southernmost limit of Cuba and inscribe on it a ne plus ultra as to us in that direction. We should then have only to include the north in our confederacy, which would be, of course, in the first war, and we should have such an empire for liberty as she has never surveyed since the creation; and I am persuaded no constitution was ever before so well calculated as ours for extensive empire and self-government. * * *

It will be objected to our receiving Cuba that no limit can then be drawn to our future acquisitions. Cuba can be defended by us without a navy, and this develops the principle which ought to limit our views. Nothing should ever be accepted which would require a navy to defend it.

Again, in writing to President Monroe on the 23d June, 1823, he says:

For certainly her addition to our confederacy is exactly what is wanting to advance our power as a nation to the point of its utmost interest.

And in another letter to the same, on the 24th October, 1823, he says:

I candidly confess that I have ever looked on Cuba as the most interesting addition which could ever be made to our system of States. The control which, with Florida Point, this island would give us over the Gulf of Mexico, and the countries and isthmus bordering on it, would fill up the measure of our political well-being.

John Quincy Adams, while Secretary of State under Mr. Monroe, in a dispatch to Mr. Nelson, our minister at Madrid, of the 28th April, 1823, says:

In the war between France and Spain, now commencing, other interests, peculiarly ours, will in all probability be deeply involved. Whatever may be the issue of this war as between those two European powers, it may be taken for granted that the dominion of Spain upon the American continents, north and south, is irrevocably gone. But the islands of Cuba and Porto Rico still remain nominally and so far really dependent upon her that she yet possesses the power of transferring her own dominion over them, together with the possession of them, to others. Those islands, from their local position, are natural appendages to the North American continent, and one of them, Cuba, almost in sight of our shores, from a multitude of considerations, has become an object of transcendent importance to the commercial and political interests of our Union. Its commanding position with reference to the Gulf of Mexico and the West India seas, the character of its population, its situation midway between our southern coast and the island of St. Domingo, its safe and capacious harbor of the Habana, fronting a long line of our shores destitute of the same advantage, the nature of its productions and of its wants, furnishing the supplies and needing the returns of a commerce immensely profitable and mutually beneficial, give it an importance in the sum of our national interests with which that of no other foreign territory can be compared and little inferior to that which binds the different members of this Union together.

Such, indeed, are, between the interests of that island and of this country, the geographical, commercial, moral, and political relations formed by nature, gathering in the process of time, and even now verging to maturity, that, in looking forward to the probable course of events for the short period of half a century, it is scarcely possible to resist the conviction that the annexation of Cuba to our Federal Republic will be indispensable to the continuance and integrity of the Union itself. It is obvious, however, that for this event we are not yet prepared. Numerous and formidable objections to the extension of our territorial dominions beyond the sea present themselves to the first contemplation of the subject; obstacles to the system of policy by which alone that result can be compassed and maintained, are to be foreseen and surmounted, both from at home and abroad. But there are laws of political as well as of physical gravitation; and if an apple, severed by the tempest from its native tree, can not choose but fall to the ground, Cuba, forcibly disjoined from its own unnatural connection with Spain, and incapable of self-support, can gravitate only toward the North American Union, which, by the same law of nature, can not cast her off from its bosom.

The transfer of Cuba to Great Britain would be an event unpropitious to the interests of this Union. This opinion is so generally entertained that even the groundless rumors that it was about to be accomplished, which have spread abroad and are still teeming, may be traced to the deep and almost universal feeling of

aversion to it and to the alarm which the mere probability of its occurrence has stimulated. The question both of our right and of our power to prevent it, if necessary by force, already obtrudes itself upon our councils, and the Administration is called upon, in the performance of its duties to the nations, at least to use all the means within its competency to guard against and forefend it.

On April 27, 1825, Mr. Clay, Secretary of State, in a dispatch to Mr. A. H. Everett, our minister at Madrid, instructing him to use his exertions to induce Spain to make peace with her revolted colonies, says:

The United States are satisfied with the present condition of those islands (Cuba and Porto Rico) in the hands of Spain, and with their ports open to our commerce, as they are now open. This Government desires no political change of that condition. The population itself of the islands is incompetent at present, from its composition and its amount, to maintain self-government. The maritime force of the neighboring Republics of Mexico and Colombia is not now, nor is it likely shortly to be, adequate to the protection of those islands if the conquest of them were effected. The United States would entertain constant apprehensions of their passing from their possession to that of some less friendly sovereignty; and of all the European powers, this country prefers that Cuba and Porto Rico should remain dependent on Spain. If the war should continue between Spain and the new republics, and those islands should become the object and the theater of it, their fortunes have such a connection with the prosperity of the United States that they could not be indifferent spectators; and the possible contingencies of such a protracted war might bring upon the Government of the United States duties and obligations the performance of which, however painful it should be, they might not be at liberty to decline.

Mr. Van Buren, writing to Mr. Van Ness, our minister to Spain, October 2, 1829, says:

The Government of the United States has always looked with the deepest interest upon the fate of those islands, but particularly of Cuba. Its geographical position, which places it almost in sight of our southern shores, and, as it were, gives it the command of the Gulf of Mexico and the West India seas, its safe and capacious harbors, its rich productions, the exchange of which for our surplus agricultural products and manufactures constitutes one of the most extensive and valuable branches of our foreign trade, render it of the utmost importance to the United States that no change should take place in its condition which might injuriously affect our political and commercial standing in that quarter. Other considerations, connected with a certain class of our population, make it the interest of the southern section of the Union that no attempt should be made in that island to throw off the yoke of Spanish dependence, the first effect of which would be the sudden emancipation of a numerous slave population, the result of which could not but be very sensibly felt upon the adjacent shores of the United States. On the other hand, the wisdom which induced the Spanish Government to relax in its colonial system, and to adopt with regard to those islands a more liberal policy, which opened their ports to general commerce, has been so far satisfactory in the view of the United States as, in addition to other considerations, to induce this Government to desire that their possession should not be transferred from the Spanish Crown to any other. In conformity with this desire, the ministers of the United States at Madrid have, from time to time, been instructed attentively to watch the course of events and the secret springs of European diplomacy, which, from information received from various quarters, this Government had reason to suspect had been put in motion to effect the transfer of the possession of Cuba to the powerful allies of Spain.

You are authorized to say that the long-established and well-known policy of the United States, which forbids their entangling themselves in the concerns of other nations, and which permits their physical force to be used only for the defense of their political rights and the protection of the persons and property of their citizens, equally forbids their public agents to enter into positive engagements, the performance of which would require the employment of means which the people have retained in their own hands; but that this Government has every reason to believe that the same influence which once averted the blow ready to fall upon the Spanish islands would again be found effectual on the recurrence of similar events; and that the high preponderance in American affairs of the United States as a great naval power, the influence which they must at all times command as a great commercial nation, in all questions involving the interests of the general commerce of this hemisphere, would render their consent an essential preliminary to the execution of any project calculated so vitally to affect the gen-

eral concerns of all the nations in any degree engaged in the commerce of America. The knowledge you possess of the public sentiment of this country in regard to Cuba will enable you to speak with confidence and effect of the probable consequences that might be expected from the communication of that sentiment to Congress, in the event of any contemplated change in the present political condition of that island.

And again, on the 13th of October, 1830:

This Government has also been given to understand that, if Spain should persevere in the assertion of a hopeless claim to dominion over her former colonies, they will feel it to be their duty as well as their interest to attack her colonial possessions in our vicinity—Cuba and Porto Rico. Your general instructions are full upon the subject of the interest which the United States take in the fate of those islands, and particularly of the former; they inform you that we are content that Cuba should remain as it now is but could not consent to its transfer to any European power. Motives of reasonable state policy render it more desirable to us that it should remain subject to Spain rather than to either of the South American States. Those motives will readily present themselves to your mind; they are principally founded upon an apprehension that if possessed by the latter it would, in the present state of things, be in greater danger of becoming subject to some European power than in its present condition. Although such are our own wishes and true interests, the President does not see on what ground he would be justified in interfering with any attempts which the South American States might think it for their interest, in the prosecution of a defensive war, to make upon the islands in question. If, indeed, an attempt should be made to disturb them by putting arms in the hands of one portion of their population to destroy another, and which in its influence would endanger the peace of a portion of the United States, the case might be different. Against such an attempt the United States—being informed that it was in contemplation—have already protested and warmly remonstrated in their communications last summer with the Government of Mexico; but the information lately communicated to us in this regard was accompanied by a solemn assurance that no such measures will in any event be resorted to, and that the contest, if forced upon them, will be carried on, on their part, with strict reference to the established rules of civilized warfare.

Mr. Buchanan, in his dispatch to Mr. R. M. Saunders of June 17, 1848, said:

With these considerations in view, the President believes that the crisis has arrived when an effort should be made to purchase the island of Cuba from Spain, and he has determined to intrust you with the performance of this most delicate and important duty. The attempt should be made, in the first instance, in a confidential conversation with the Spanish minister for foreign affairs. A written offer might produce an absolute refusal in writing, which would embarrass us hereafter in the acquisition of the island. Besides, from the incessant changes in the Spanish cabinet and policy our desire to make the purchase might thus be made known in an official form to foreign governments and arouse their jealousy and active opposition. Indeed, even if the present cabinet should think favorably of the proposition, they might be greatly embarrassed by having it placed on record; for in that event it would almost certainly through some channel reach the opposition and become the subject of discussion in the Cortes. Such delicate negotiations, at least in their incipient stages, ought always to be conducted in confidential conversation and with the utmost secrecy and dispatch.

At your interview with the minister for foreign affairs you might introduce the subject by referring to the present distracted condition of Cuba and the danger which exists that the population will make an attempt to accomplish a revolution. This must be well known to the Spanish Government. In order to convince him of the good faith and friendship toward Spain with which this Government has acted you might read to him the first part of my dispatch to General Campbell and the order issued by the Secretary of War to the commanding general in Mexico and to the officer having charge of the embarkation of our troops at Vera Cruz. You may then touch delicately upon the danger that Spain may lose Cuba by a revolution in the island or that it may be wrested from her by Great Britain should a rupture take place between the two countries arising out of the dismissal of Sir Henry Bulwer and be retained to pay the Spanish debt due to the British bondholders. You might assure him that whilst this Government is entirely satisfied that Cuba shall remain under the dominion of Spain, we should in any event resist its acquisition by any other nation. And, finally, you might inform him that under all these circumstances the President had arrived at the conclusion that Spain

might be willing to transfer the island to the United States for a fair and full consideration. You might cite as a precedent the cession of Louisiana to this country by Napoleon under somewhat similar circumstances when he was at the zenith of his power and glory. I have merely presented these topics in their natural order, and you can fill up the outline from the information communicated in this dispatch, as well as from your own knowledge of the subject. Should the minister for foreign affairs lend a favorable ear to your proposition, then the question of the consideration to be paid would arise, and you have been furnished with information in this dispatch which will enable you to discuss that question.

The President would be willing to stipulate for the payment of $100,000,000. This, however, is the maximum price; and if Spain should be willing to sell, you will use your best efforts to purchase it at a rate as much below that sum as practicable. In case you should be able to conclude a treaty, you may adopt as your model, so far as the same may be applicable, the two conventions of April 30, 1803, between France and the United States, for the sale and purchase of Louisiana. The seventh and eighth articles of the first of these conventions ought, if possible, to be omitted; still, if this should be indispensable to the accomplishment of the object, articles similar to them may be retained.

Mr. Everett, in his celebrated letter of December 1, 1852, to the Compte de Sartiges, rejecting the joint proposition of the French and British governments for a tripartite convention with the United States, disclaiming, severally and collectively, all intention to obtain possession of the island of Cuba, and respectively binding themselves to discountenance all attempts to that effect on the part of any power or individuals whatever, said:

Spain, meantime, has retained of her extensive dominions in this hemisphere but the two islands of Cuba and Porto Rico. A respectful sympathy with the fortunes of an ancient ally and a gallant people, with whom the United States have ever maintained the most friendly relations, would, if no other reason existed, make it our duty to leave her in the undisturbed possession of this little remnant of her mighty trans-Atlantic empire. The President desires to do so. No word or deed of his will ever question her title or shake her possession. But can it be expected to last very long? Can it resist this mighty current in the fortunes of the world? Is it desirable that it should do so? Can it be for the interest of Spain to cling to a possession that can only be maintained by a garrison of twenty-five or thirty thousand troops, a powerful naval force, and an annual expenditure for both arms of the service of at least $12,000,000? Cuba, at this moment, costs more to Spain than the entire naval and military establishment of the United States costs the Federal Government. So far from being really injured by the loss of this island, there is no doubt that, were it peacefully transferred to the United States, a prosperous commerce between Cuba and Spain, resulting from ancient associations and common language and tastes, would be far more productive than the best contrived system of colonial taxation. Such, notoriously, has been the result to Great Britain of the establishment of the independence of the United States. The decline of Spain from the position which she held in the time of Charles V is coeval with the foundation of her colonial system; while within twenty-five years, and since the loss of most of her colonies, she has entered upon a course of rapid improvement unknown since the abdication of that emperor.

Mr. Marcy, in his dispatch of July 23, 1853, to Mr. Pierre Soulé, says:

SIR: There are circumstances in the affairs of Spain, having a connection with this country, which give unusual importance at this time to the mission to that Government. The proximity of her remaining possessions in this hemisphere—the islands of Cuba and Porto Rico—to the United States, the present condition of the former, and the rumors of contemplated changes in its internal affairs, complicate our relations with Spain. The island of Cuba, on account of its magnitude, situation, fine climate, and rich productions, far superior in all respects to any in the West India group, is a very desirable possession to Spain, and for the same reasons very difficult for her to retain in its present state of dependence. The opinion generally prevails among the European nations that the Spanish dominion over it is insecure. This was clearly evinced by the alacrity with which both England and France, on occasion of the late disturbances in Cuba, volunteered their aid to sustain the Spanish rule over it, and by their recent proposition to the United States for a tripartite convention to guaranty its possession to Spain.

Without an essential change in her present policy, such a change as she will most likely be unwilling to make, she can not, it is confidently believed, long sustain, unaided, her present connection with that island.

What will be its destiny after it shall cease to be a dependency of Spain is a question with which some of the principal powers of Europe have seen fit to concern themselves, and in which the United States have a deep and direct interest.

I had occasion recently, in preparing instructions for our minister to London, to present the views of the President in relation to the interference of Great Britain, as well as of France, in * * * Cuban affairs. To spare myself the labor of again going over the same ground, I herewith furnish you with an extract from those instructions.

The policy of the Government of the United States in regard to Cuba, in any contingency calling for our interposition, will depend in a great degree upon the peculiar circumstances of the case, and can not therefore now be presented with much precision beyond what is indicated in the instructions before referred to. Nothing will be done on our part to disturb its present connection with Spain, unless the character of that connection should be so changed as to affect our present or prospective security. While the United States would resist at every hazard the transference of Cuba to any European nation, they would exceedingly regret to see Spain resorting to any power for assistance to uphold her rule over it. Such a dependence on foreign aid would in affect invest the auxiliary with the character of a protector and give it a pretext to interfere in our affairs, and also generally in those of the North American continent. In case of collision with the United States such protecting power would be in a condition to make nearly the same use of that island to annoy us as it could do if it were the absolute possessor of it.

Our minister at Madrid during the Administration of President Polk was instructed to ascertain if Spain was disposed to transfer Cuba to the United States for a liberal pecuniary consideration. I do not understand, however, that it was at that time the policy of this Government to acquire that island unless its inhabitants were very generally disposed to concur in the transfer.

Under certain conditions the United States might be willing to purchase it; but is scarcely expected that you will find Spain, should you attempt to ascertain her views upon the subject, at all inclined to enter into such a negotiation. There is reason to believe that she is under obligations to Great Britain and France not to transfer this island to the United States. Were there nothing else to justify this belief but the promptness with which these two powers sent their naval forces to her aid in the late Cuban disturbances, the proposition for a tripartite convention to guarantee Cuba to Spain, and, what is more significant than either of the above facts, the sort of joint protest by England and France, to which I adverted in my instructions to Mr. Buchanan against some of the views presented in Mr. Everett's letter of the 2d of December last to Mr. Sartiges, the French minister, would alone be satisfactory proof of such an arrangement. Independent of any embarassment of this nature, there are many other reasons for believing that Spain will pertinaciously hold on to Cuba, and that the separation, whenever it takes place, will be the work of violence.

From these and other extracts that might be presented it is manifest that the ultimate acquisition of Cuba has long been regarded as the fixed policy of the United States—necessary to the progressive development of our system. All agree that the end is not only desirable but inevitable. The only difference of opinion is as to the time, mode, and conditions of obtaining it.

The law of our national existence is growth. We can not, if we would, disobey it. While we should do nothing to stimulate it unnaturally, we should be careful not to impose upon ourselves a regimen so strict as to prevent its healthful development. The tendency of the age is the expansion of the great powers of the world. England, France, and Russia all demonstrate the existence of this pervading principle. Their growth, it is true, only operates by the absorption, partial or total, of weaker powers—generally of inferior races. So long as this extension of territory is the result of geographical position, a higher civilization, and greater aptitude for government, and is not pursued in a direction to endanger our safety or impede our progress, we have neither the right nor the disposition to find fault

with it. Let England pursue her march of conquest and annexation in India, France extend her dominions on the southern shores of the Mediterranean, and advance her frontiers to the Rhine, or Russia subjugate her barbarous neighbors in Asia; we shall look upon their progress, if not with favor, at least with indifference. We claim on this hemisphere the same privilege that they exercise on the other—

"Hanc veniam petimusque damusque vicissim."

In this they are but obeying the laws of their organization. When they cease to grow they will soon commence that period of decadence which is the fate of all nations as of individual man.

The question of the annexation of Cuba to the United States, we repeat, is a question but of time. The fruit that was not ripe when John Quincy Adams penned his dispatch to Mr. Forsyth (it has not yet been severed by violence from its native tree, as he anticipated) is now mature. Shall it be plucked by a friendly hand, prepared to compensate its proprietor with a princely guerdon? or shall it fall decaying to the ground?

As Spain can not long maintain her grasp on this distant colony, there are but three possible alternatives in the future of Cuba: First, possession by one of the great European powers. This we have declared to be incompatible with our safety, and have announced to the world that any attempt to consummate it will be resisted by all the means in our power. When first we made this declaration we were comparatively feeble. The struggle would have been fearful and unequal; but we were prepared to make it at whatever hazard. That declaration has often been repeated since. With a population nearly tripled, our financial resources and our means, offensive and defensive, increased in an infinitely larger proportion, we can not now shrink from an issue that all were then ready to meet.

The second alternative is the independence of the island. This independence could only be nominal; it never could be maintained in fact. It would eventually fall under some protectorate, open or disguised. If under ours, annexation would soon follow as certainly as the shadow follows the substance. An European protectorate could not be tolerated. The closet philanthropists of England and France would, as the price of their protection, insist upon introducing their schemes of emancipation. Civil and servile war would soon follow, and Cuba would present, as Haiti now does, no traces of its former prosperity, but the ruins of its once noble mansions. Its uncontrolled possession by either France or England would be less dangerous and offensive to our Southern States than a pretended independent black empire or republic.

The third and last alternative is annexation to the United States. How and when is this to be effected? By conquest or negotiation? Conquest, even without the hostile interference of another European power than Spain, would be expensive, but with such interference would probably involve the whole civilized world in war, entail upon us the interruption, if not the loss, of our foreign trade, and an expenditure far exceeding any sum which it has ever been contemplated to offer for the purchase of Cuba. It would, besides, in all probability lead to servile insurrection and to the great injury or even total destruction of the industry of the island. Purchase, then, by negotiation seems to be the only practicable course; and, in the opinion of the committee, that can not be attempted with any reasonable prospect of success unless the President be furnished with the means

which he has suggested in his annual message, and which the bill proposes to give him.

Much has been said of the danger of confiding such powers to the Executive, and from the fierceness with which the proposition has been denounced, it might be supposed that it was without precedent. So far is this from being the case that we have three different acts upon the statute book placing large sums of money at the disposition of the President for the purpose of aiding him in negotiations for the acquisition of territory. The first is the act of February 26, 1803. Although its object was well known—viz, to be used in negotiating for the purchase of Louisiana—the act does not indicate it. It placed $2,000,000 unreservedly at the disposition of the President for the purpose of defraying any "extraordinary expense which may be incurred in the intercourse between the United States and foreign nations." Second, the act of February 13, 1806, using precisely the same phraseology, appropriates $2,000,000, it being understood that it was to be used in negotiating for the purchase of Florida.

The act of 3d March, 1847, "making further appropriation to bring the existing war with Mexico to a speedy and honorable conclusion," has been adopted as the model on which the present bill is framed. Its preamble states that "whereas, in the adjustment of so many complicated questions as now exist between the two countries, it may possibly happen that an expenditure of money will be called for by the stipulations of any treaty which may be entered into, therefore the sum of $3,000,000 be, and the same is hereby, appropriated, to enable the President to conclude a treaty of peace, limits, and boundaries with the Republic of Mexico; to be used by him in the event said treaty, when signed by the authorized agents of the two Governments and duly ratified by Mexico, shall call for the expenditure of the same or any part thereof." The bill now reported appropriates, under the same conditions, $30,000,000 to make a treaty with Spain for the purchase of the island of Cuba.

It will be perceived that this bill defines strictly the object to which the amount appropriated shall be applied, and in this respect allows a much narrower range of discretion to the present Executive than the acts of 1803 and 1806 gave to Mr. Jefferson. In those cases the object of the appropriation was as well known to the country and to the world as if it had been specifically stated. The knowledge of that fact did not then in the slightest degree tend to defeat the intended object, nor can it do so now. Under our form of government we have no state secrets. With us, diplomacy has ceased to be enveloped with the mysteries that of yore were considered inseparable from its successful exercise. Directness in our policy and frankness in its avowal are in conducting our foreign intercourse not less essential to the maintenance of our national character and the permanent interests of the Republic than are the same qualities to social position and the advancement of honest enterprise in private life.

Much has been said of the indelicacy of this mode of proceeding. That the offer to purchase will offend the Spanish pride, be regarded as an insult, and rejected with contempt. That instead of promoting a consummation that all admit to be desirable, it will have the opposite tendency. If this were true it would be a conclusive argument against the bill, but a brief consideration will show the fallacy of these views. For many years our desire to purchase Cuba has been known to the world. Seven years since President Fillmore communicated to Congress the instructions to our ministers on that subject, with all the correspondence connected with it. In that correspondence will

be found three letters from Mr. Saunders, detailing conversations held with Narvaez and the minister of foreign relations, in which he notified them of his authority to treat for the purchase of Cuba, and while the reply was so decided as to preclude him from making any direct proposition, yet no intimation was given that the suggestion was offensive. And why should it be so? We simply say to Spain, You have a distant possession, held by a precarious tenure, which is almost indispensable to us for the protection of our commerce, and may, from its peculiar position, the character of its population, and the mode in which it is governed, lead at any time to a rupture which both nations would deprecate. This possession, rich though it be in all the elements of wealth, yields to your treasury a net revenue not amounting, on the average of a series of years, to the hundredth part of the price we are prepared to give you for it. True, you have heretofore refused to consider our proposition, but circumstances are changing daily. What may not have suited you in 1848 may now be more acceptable. Should a war break out in Europe, Spain can scarcely hope to escape being involved in it. The people of Cuba naturally desire to have a voice in the government of the island. They may seize the occasion to proclaim their independence, and you may regret not having accepted the rich indemnity we offer.

But even these arguments will not be pressed upon unwilling ears. Our minister will not broach the subject until he shall have good reason to believe that it will be favorably entertained. Such an opportunity may occur when least expected. Spain is the country of coups d'etat and pronunciamentos. The all-powerful minister of to-day may be a fugitive to-morrow. With the forms of a representative government, it is in fact a despotism sustained by the bayonet—a despotism tempered only by frequent, violent, and bloody revolutions. Her financial condition is one of extreme embarrassment. A crisis may arise when even the dynasty may be overthrown unless a large sum of money can be raised forthwith. Spain will be in the position of the needy possessor of land he can not cultivate, having all the pride of one to whom it has descended through a long line of ancestry, but his necessities are stronger than his will; he must have money. A thrifty neighbor whose domains it will round off is at hand to furnish it. He retains the old mansion, but sells what will relieve him from immediate ruin.

The President in his annual message has told us that we should not, if we could, acquire Cuba by any other means than honorable negotiation unless circumstances which he does not anticipate render a departure from such a course justifiable under the imperative and overruling law of self-preservation. He also tells us that he desires to renew the negotiations, and it may become indispensable to success that he should be intrusted with the means for making an advance to the Spanish Government immediately after the signing of the treaty without awaiting the ratification of it by the Senate. This, in point of fact, is an appeal to Congress for an expression of its opinion on the propriety of renewing the negotiation. Should we fail to give him the means which may be indispensable to success, it may well be considered by the President as an intimation that we do not desire the acquisition of the island.

It has been asserted that the people of Cuba do not desire a transfer to the United States. If this were so it would present a very serious objection to the measure. The evidence on which it is based is that on the receipt of the President's message addresses were made by the municipal authorities of Havana and other towns protesting their

devotion to the crown and their hostility to the institutions of the United States. Any one who has had an opportunity of observing the persuasive influence of the bayonet in countries where it rules supreme will know how much value to attach to such demonstrations of popular sentiment. There can be no doubt that an immense majority of the people of Cuba are not only in favor but ardently desirous of annexation to the United States. It would be strange, indeed, if they were not so, deprived of all influence even in the local affairs of the island—unrepresented in the Cortes—governed by successive hordes of hungry officials sent from the mother country to acquire fortunes to be enjoyed at home, having no sympathy with the people among whom they are mere sojourners, and upon whom they look down as inferiors; liable to be arrested at any moment on the most trifling charges; tried by military courts or submissive judges, removable at pleasure, punished at the discretion of the captain-general, they would be less than men if they were contented with their yoke. But we have the best authority, from the most reliable sources, for asserting that nearly the entire native population of Cuba desires annexation.

Apprehensions have been expressed by some Southern statesmen, of perils resulting from the different elements composing the population, and the supposed mixture of races. They are not justified by the facts. The entire population, by the census of 1850, was 1,247,230, of which 605,560 were whites, 205,570 free colored, and 436,100 slaves.

Allowing the same annual percentage of increase for each class, as shown by comparison with the previous census, the total population now is about 1,586,000, of which 742,000 are whites, 263,000 free colored, and 581,000 slaves. There is good reason to suppose that the slaves considerably exceed the estimated number, it having been, until very recently, the interest of the proprietor to understate it. The feeling of caste or race is as marked in Cuba as in the United States. The white creole is as free from all taint of African blood as the descendant of the Goth on the plains of Castile. There is a numerous white peasantry, brave, robust, sober, and honest, not yet, perhaps, prepared intelligently to discharge all the duties of the citizen of a free republic, but who, from his organization, physical and mental, is capable of being elevated by culture to the same level with the educated Cubans, who, as a class, are as refined, well-informed, and fitted for self-government as men of any class of any nation can be who have not inhaled with their breath the atmosphere of freedom.

Many of them accompanied by their families are to be met with every summer at our cities and watering places, observing and appreciating the working of our form of government and its marvelous results; many seeking until the arrival of more auspicious days an asylum from the oppression that has driven them from their homes, while hundreds of their youths in our schools and colleges are acquiring our language and fitting themselves hereafter, it is to be hoped, at no distant day, to play a distinguished part in their own legislative halls or in the counsels of the nation.

These men, who are the great proprietors of the soil, are opposed to the continuance of the African slave trade which is carried on by Spaniards from the peninsula, renegade Americans, and other adventurers from every clime and country, tolerated and protected by the authorities of Cuba of every grade.

Were there a sincere desire to arrest the slave trade it could be as effectually put down by Spain as it has been by Brazil. Cuba and Porto Rico are now the only marts for this illegal traffic, and if the British Government had been as intent upon enforcing its treaty

stipulations with Spain for its abolition as it has been in denouncing abuses of our flag, which we can not entirely prevent, this question would long since have ceased to be a source of irritating discussion, it may be of possible future difficulty. Those who desire to extirpate the slave trade may find in their sympathy for the African a motive to support this bill.

We have, since the conclusion of the Ashburton treaty in 1842, kept up a squadron on the coast of Africa for the suppression of the slave trade, and we are still bound to continue it. The annual cost of this squadron is at least $800,000. The cost in seventeen years amounts to $13,600,000, and this, too, with results absolutely insignificant. It appears from a report of a select committee of the British House of Commons, made in March, 1850, that the number of slaves exported from Africa had sunk down in 1842 (the very year in which the Ashburton treaty was concluded) to nearly 30,000. In 1843 it rose to 55,000. In 1846 it was 76,000; in 1847 it was 84,000, and was then in a state of unusual activity. Sir Charles Hotham, one of the most distinguished officers of the British navy, and who commanded on the coast of Africa for several years, was examined by that select committee. He said that the force under his command was in a high state of discipline; that his views were carried out by his officers to his entire satisfaction; that, so far from having succeeded in stopping the slave trade, he had not even crippled it to the extent of giving it a permanent check; that the slave trade had been regulated by the commercial demand for slaves, and had been little affected by the presence of his squadron, and that experience had proven the system of repression by cruisers on the coast of Africa futile, this, too, when the British squadron counted 27 vessels, comprising several steamers, carrying about 300 guns and 3,000 men. The annual expense of the squadron is about $3,500,000, with auxiliary establishments on the coast costing at least $1,500,000 more, a total cost annually of $5,000,000 in pursuance of a system which experience has proved to be futile.

In 1847 the Brazilian slave trade was in full activity. It has been entirely suppressed for several years. The slaves now shipped from the coast of Africa are exclusively for the Spanish islands. It is not easy to estimate the number. From the best data, however, it is supposed now to be from twenty-five to thirty thousand per year. It would cease to exist the moment we acquire possession of the island of Cuba.

The importation of slaves into the United States was prohibited in 1808. Since then, a period of more than fifty years, but one case has occurred of its violation, that of the *Wanderer*, which has recently excited so much attention.

Another consequence which should equally enlist the sympathies of philanthropists, excepting that class whose tears are only shed for those of ebon hue, and who turn with indifference from the sufferings of men of any other complexion, is the suppression of the infamous coolie traffic, a traffic so much the more nefarious as the Chinese is elevated above the African in the scale of creation; more civilized, more intellectual, and therefore feeling more acutely the shackles of the slave ship and the harsh discipline of the overseer. The number of Chinese shipped for Cuba since the commencement of the traffic up to March last is 28,777, of whom 4,134 perished on the passage. From that date up to the close of the year the number landed at Habana was 9,449. We blush to say that three-fourths of the number were transported under the American and British flags, under the flags of the two coun-

tries that have been the most zealous for the suppression of the African slave trade. The ratio of mortality on the passage was 14¾ per cent, and a much larger proportion of these wretched beings were landed in an enfeebled condition. Coming, too, from a temperate climate, they are not capable of enduring the exposure to the tropical sun in which the African delights to bask. When their allotted time of service shall have been completed, the small remnant of the survivors will furnish conclusive evidence of the barbarity with which they are treated. The master feels no interest in his temporary slave beyond that of extracting from him the greatest possible amount of labor during the continuance of his servitude. His death or incapacity to labor at the end of his term is to the master a matter of as much indifference as is the fate of the operative employed in his mill to the Manchester spinner.

Another effect of this measure which should recommend it most strongly to the humanitarians will be the better treatment and increased happiness of the slaves now existing in the island that would inevitably flow from it. As a general rule, the slave is well treated in proportion to his productiveness and convertible value; as an expensive instrument is more carefully handled than one of less cost. When the importation of slaves from abroad is arrested, the home production affords the only means of supplying the increasing demand for labor. It may be assumed as an axiom of political economy that the increase of population, if not the only true test, is the most reliable of the average well-being of the class to which it is applied. Tried by this test, the slave of the United States affords a very high standard as compared even with the white population of our favored land. But when comparison is made with the statistics of African slavery in all European colonies the results are startling.

Since Las Casas, in his zeal for the protection of the Indian, originated the African slave trade, it is estimated that the whole number transported to the New World has been about 8,375,000. Of these, we, in our colonial condition, and since, have only received about 375,000. By natural increase, after deducting all who are free, we had, in 1850, 3,204,000 slaves of the African race. These, allowing the same percentage of increase for nine years as the census returns show during the last decennial period, would now number over 4,300,000; while, from the same data, the free colored population would amount to 496,000. The British West India colonies received about 1,700,000. The whole population of those islands, including Jamaica and Trinidad acquired from the Spaniards, and West Guiana, black, white, and mixed, is but 1,062,639. The Spanish and other West India islands received about 3,000,000. This is very much more than their entire population to-day. The proportion may vary in some of the colonies, but the general result will be found everywhere the same. A very much less number now existing of African descent, either pure or mixed, than have been imported from Africa.

There is another aspect in which this proposition may be viewed which is deserving of serious consideration. It is forcibly put in the President's annual message that the multiplied aggressions upon the persons and property of our citizens by the local authorities of Cuba for many years past present, in the person of the captain-general, the anomaly of absolute power to inflict injury without any corresponding faculty to redress it. He can, almost in sight of our shores, confiscate, without just cause, the property of an American citizen, or incarcerate his person; but if applied to for redress, we are told that he can not act without consulting his royal mistress, at Madrid.

There we are informed that it is necessary to await the return of a report of the case which is to be obtained from Cuba; and many years elapse before it is ripe for decision. These delays in most instances amount to an absolute denial of justice. And even when the obligation of indemnity is admitted, the state of the treasury or a change of ministry is pleaded as an excuse for withholding payment. This would long since have justified us in resorting to measures of reprisal that would have necessarily led to war and ultimately resulted in the conquest of the island. Indeed such is the acute sense of those wrongs prevailing among our people that nothing but our rigid neutrality laws, which, so long as they remain unrepealed or unmodified, a chief magistrate, acting under the sanction of his official oath to see that the laws be faithfully executed, is bound to enforce, has prevented the success of organized individual enterprises that would long ere this have revolutionized the island. It is in part, probably, for this cause that the President has recommended the policy which this bill embodies, and the world can not fail to recognize in its adoption by Congress a determination to maintain him in his efforts to preserve untarnished our national character for justice and fair dealing.

The effects of the acquisition of Cuba will be no less beneficial in its commercial than in its political and moral aspects. The length of the island is about 770 miles, with an average breadth of about 40 miles, comprising an area of 31,468 square miles. The soil is fertile, climate genial, and its ports the finest in the world. Habana is more familiarly known to us, for apart from our extensive trade, which employs several hundred American vessels, thousands of our citizens have touched at that port in our steamers on their way to California or New Orleans. They have all carried away with them vivid recollections of its magnificent harbor, and have breathed ardent prayers that their next visit should be hailed by the Stars and Stripes floating from the Morro. And yet Cuba can boast of several other harbors equally safe and more extensive than that of Habana.

In 1855 the importations, by official custom-house returns, were $31,216,000, the exports $34,803,000. As duties are levied on exports as well as imports, there can be no exaggeration in these returns, and the real amount is undoubtedly considerably larger.

When we consider that more than two-thirds of the whole area of the island is susceptible of culture, and that not a tenth part of it is now cultivated, we may form some idea of the immense development which would be given to its industry by a change from a system of monopoly and despotism to free trade and free institutions. Whatever may be the enhanced cost of production, caused by the increased value of labor, it will be nearly if not quite compensated by the removal of export duties; and of those levied on articles produced in the United States, which are now by unjust discrimination virtually excluded from consumption. It is not possible within the limits which your committee have prescribed to themselves for this report to cite more than a few of the most important. Of flour, on an average of three years, from 1848 to 1850, there were imported from the United States 5,642 barrels, paying a duty of $10.81 per barrel. From other countries, and it is believed exclusively from Spain, 228,002 barrels, paying a duty of $2.52 per barrel, a discrimination against our flour of nearly 200 per cent on its present average value in our markets. On lard, of which the importation from the United States was 10,168,000 pounds, a duty is levied of $4 per quintal, while of olive oil 8,481,000 pounds were imported, which is chiefly used as

its substitute, paying a duty of 87 cents per quintal. Of beef, dry and jerked, but 339,161 pounds were imported from the United States, paying a duty of $1.96 per quintal, while the importation from other quarters, principally from Buenos Ayres, was 30,544,000 pounds, paying a duty of $1.17, the difference being, in fact, a protection of the Spanish flag which thus enjoys a monopoly of this branch of trade. To-day, with its increased population and wealth, it is fair to presume that were Cuba annexed to the United States, with the stimulus afforded by low prices, her annual consumption of our flour would be 600,000 barrels; of our lard, 25,000,000 pounds; of our beef, 20,000,000, and of pork, the most solid and nutritious food for the laborer, 10,000,000 pounds. The same ratio of increase would be exhibited in our whole list of exports. Many articles that now appear not at all or in very limited quantities would force their way into general consumption. The Spanish flag, deprived of the advantage of discriminating duties of tonnage and impost, would soon abandon a competition which it could not sustain on equal terms, and the whole carrying trade, foreign and domestic, would fall into the hands of our enterprising merchants and ship owners, but chiefly those of the Northern and Middle States, while the farmer of the West would have a new and constantly increasing market open to him for the products of the soil. With all the disadvantages under which we now labor, the American vessels entering the port of Habana alone last year numbered 958, with a tonnage of 403,479. To what figure will this be extended when ours shall be the national flag of Cuba?

The cultivation of sugar is the chief basis of the wealth and prosperity of Cuba. The average annual production, exclusive of what is consumed in the island, is about 400,000 tons; that of Louisiana about 175,000 tons. The whole amount of cane sugar from which Europe and the United States are supplied is estimated at 1,273,000 tons; of this, Cuba and Louisiana now furnish somewhat more than 45 per cent. Is it extravagant to predict that, with Cuba annexed, we should in a few years have as complete control of this great staple—which has long since ceased to be a luxury and become almost a necessity of life—as we now have of cotton?

There is one other consideration, of minor importance when compared with the vast political interests involved in the question of acquisition; it is that of cost. Ten years past, as appears from the published correspondence, our minister at Madrid was authorized to offer $100,000,000 as the extreme price for the purchase of Cuba. If that was its value then, something may be added to it now. Assuming it to be twenty-five millions more, the annual interest, without reference to the probable premium which would be realized from a loan bearing 5 per cent interest, would be $6,250,000. Of the imposts of $31,216,000 in 1856, your committee have not before them the means of ascertaining the proportion coming from the United States. From the Summary of balanzas generales from 1848 to 1854, in the Report of Commercial Relations, volume 1, page 187, it may, however, be fairly assumed to be somewhat more than one-fourth, or about $8,000,000. This proportion would doubtless be largely increased. Admitting it to be $16,216,000, it would leave a balance of $15,000,000 on which duties could be levied. Under our present tariff the average rate of duties is about 18⅛ per cent, but as the articles on our free list are of very limited consumption in Cuba the average there would be at least 20 per cent. This would yield a revenue from customs of $3,000,000. But under the stimulus of free trade and free institutions, with the removal of many burdens from the consumer, it would neces-

sarily be greatly and speedily augmented. It would be a moderate calculation to say that in two years it would reach $4,000,000. On the other hand, it may be said that our expenditure would be largely increased. Such is not the opinion of your committee. On the contrary, it is believed that from the greater security of our foreign relations, resulting from the settlement of this long agitated and disturbing question, our naval expenditure might be safely reduced, while no addition to our military establishment would be required. It has already been shown that an annual saving of $800,000 may be effected by withdrawing the African squadron when its services will no longer be necessary. Thus our expenditure for the interest on the debt incurred by the acquisition would be credited by $4,800,000, leaving an annual balance of but $1,425,000 to the debit of the purchase. Is this sum to be weighed in the balance with the advantages, political and commercial, which would result from it? Your committee think that it should not.

A few words on the wealth and resources of Cuba and your committee will close this report, which has swollen to dimensions not incommensurate with the importance of the subject, but which, it may be feared, will, under the pressure of other business during this short session, be considered as unduly trespassing on the attention of the Senate. The amount of taxes that can be levied upon any people without paralyzing their industry and arresting their material progress is the experimentum crucis of the fertility of the land they inhabit. Tried by this test Cuba will compare favorably with any country on either side of the Atlantic.

Your committee have before them the last Cuban budget, which presents the actual receipts and expenditures for one year, with the estimates for the same for the next six months. The income derived from direct taxes, customs, monopolies, lotteries, etc., is $16,303,950. The expenses are $16,299,663. This equilibrium of the budget is accounted for by the fact that the surplus revenue is remitted to Spain. It figures under the head of "Atenciones de la Peninsula," and amounts to $1,404,059, and is the only direct pecuniary advantage Spain derives from the possession of Cuba, and even this sum very much exceeds the average net revenue remitted from that island, all the expenses of the army and navy employed at or near Cuba being paid by the island. The disbursements are those of the general administration of the island, those of Habana and other cities being provided for by special imposts and taxes.

It may be moderately estimated that the personal exactions of Spanish officials amount to $5,000,000 per annum, thus increasing the expenses of the government of Cuba, apart from those which, with us, would be considered as county or municipal, to the enormous sum of $21,300,000, or about $13.50 per head for the whole population of the island, free and slave. Under this system of government and this excessive taxation the population has, for a series of years, steadily increased at the mean rate of 3 per cent per annum—about equal to that of the United States.

Since the reference of the bill to the committee, the President, in response to a resolution of the Senate requesting him, if not incompatible with the public interest, to communicate to the Senate any and all correspondence between the Government of the United States and the Government of Her Catholic Majesty relating to any proposition for the purchase of the island of Cuba, which correspondence has not been furnished to either House of Congress, informs us that no such correspondence has taken place which has not already been com-

municated to Congress. He takes occasion to repeat what he said in his annual message, that it is highly important, if not indispensable to the success of any negotiation for the purchase, that the measure should receive the previous sanction of Congress.

This emphatic reiteration of the previous recommendation throws upon Congress the responsibility of failure if withheld. Indeed, the inference is sufficiently clear that, without some expression of opinion by Congress, the President will not feel justified in renewing negotiations.

The committee beg leave to append hereto various tables concerning statistical details of matters treated of in this report.

All which is respectfully submitted.

No. 1.—*Commerce of the island of Cuba with foreign nations for the years 1852, 1853, and 1854, made up from the "general balances."*

[From Ex. Doc. No. 107, first session Thirty-fourth Congress, Commercial Relations of the United States.]

Country.	1852.		1853.		1854.	
	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.
Spain	$10,200,429	$3,882,634	$7,756,905	$3,298,871	$9,057,428	$3,615,692
United States	6,552,585	12,076,408	6,799,732	12,131,095	7,867,680	11,641,813
England	5,638,824	5,486,677	6,195,921	8,322,195	6,610,909	11,119,526
France	2,203,354	1,513,368	2,177,222	3,293,389	2,558,198	1,921,567
Germany	1,102,002	1,690,165	1,115,940	1,474,018	1,420,639	1,824,074
Belgium	493,908	321,260	998,511	466,306	635,866	811,880
Spanish America	2,144,618	801,160	1,677,476	514,831	2,145,370	671,380
Portugal and Brazil	----------	----------	----------	----------	16,245	14,186
Holland	243,386	297,152	88,876	246,661	194,390	251,482
Denmark	657,554	864,366	485,422	403,085	538,824	309,949
Russia	----------	483,218	----------	253,688	----------	----------
Sweden and Norway	27,783	15,489	47,756	16,309	14,076	23,694
Austria	----------	241,458	----------	138,036	----------	168,453
Italy	32,309	380,586	69,022	651,275	24,082	313,779
Deposit	483,486	----------	377,011	----------	310,865	----------
Total	29,780,242	27,453,936	27,789,800	31,210,405	31,394,578	32,683,731
Add for Prussia	----------	----------	----------	----------	----------	5,258

No. 2.—*Statement of the aggregate of revenue and expenditure of the island of Cuba.*

REVENUE.

Section 1.—Contributions and imports	$3,026,833.69
Section 2.—Customs	9,807,878.87
Section 3.—Taxes and monopolies	1,069,795.44
Section 4.—Lotteries	[1] 6,719,200.00
Section 5.—State property	119,285.94
Section 6.—Contingencies	595,928.94
	21,338,928.88
Deduct for sums paid as portions of the forfeitures under seizures	12,972.88
Actual total	21,325,956.00

EXPENDITURE.

Section 1.—Grace and justice	712,755.00
Section 2.—War	5,866,538.36
Section 3.—Exchequer	7,645,145.43
Section 4. { Ordinary expenses	2,386,634.16
Section 4. { Extraordinary expenses	1,190,700.37
Section 5.—Executive department	2,115,883.12
Section 6.—Attentions (remittances) of the Peninsula	1,404,059.00
Total	21,321,665.44

[1] From this sum should be deducted $5,022,000, which figures among the expenditures of the exchequer under the government guaranty of prizes in the lotteries, and which is included in the sum of $7,645,145.43 set down as expended by that department. This leaves a net revenue from that source of $1,697,200, and a total net revenue of $16,105.96.

No. 3.—*Comparative statement of the number of sea-going vessels entering the port of Habana for the years named.*

	American.		Spanish.		English.	
	Number.	Tonnage.	Number.	Tonnage.	Number.	Tonnage.
1858.						
January	101	44,162	54	10,803	13	6,256
February	79	37,367	29	5,996	22	9,976
March	781	44,402	32	7,022	11	4,884
April	102	42,492	66	13,523	21	9,347
May	102	42,359	81	18,961	15	5,940
June	69	29,836	65	14,895	11	5,184
July	54	20,409	67	15,158	10	4,181
August	48	20,768	33	10,256	11	5,324
September	60	21,097	18	4,626	10	5,443
October	78	35,540	56	12,976	15	7,500
November	69	30,313	66	17,729	7	4,052
December	95	23,825	86	19,182	15	6,090
Total for 1858	958	392,572	653	151,027	161	74,127
1857	909	406,873	684	153,651	152	64,110
1856	883	384,752	652	159,534	131	59,013
1855	889	379,327	527	120,881	116	49,963
1854	903	336,998	571	111,823	122	59,556
1853	813	304,138	553	111,029	136	58,324
1852	750	308,120	578	114,338	143	55,427
1851	856	344,046	550	114,216	191	58,308
1850	634	298,299	541	107,230	164	65,136

	French.		Other nations.		Aggregate of each month.	
	Number.	Tonnage.	Number.	Tonnage.	Number.	Tonnage.
1858.						
January	1	1,050	14	3,845	183	66,116
February	3	1,635	13	3,710	146	58,684
March	5	3,948	9	2,756	158	63,012
April	2	1,238	21	6,053	212	72,653
May	3	1,176	10	3,085	211	71,521
June	2	709	13	4,372	160	54,996
July	1	336	12	4,817	144	44,751
August	1	269	10	3,928	103	40,575
September	2	1,056	12	3,371	102	35,587
October	2	748	10	3,323	161	60,087
November	3	853	15	3,300	160	56,340
December	1	614	12	3,782	209	55,493
Total for 1858	25	12,662	79	46,432	1,949	679,815
1857	67	28,760	141	42,972	1,953	696,366
1856	62	20,133	132	38,993	1,815	662,426
1855	122	33,522	113	29,462	1,717	613,155
1854	69	18,790	127	30,027	1,782	557,186
1853	93	20,877	122	33,030	1,717	527,402
1852	52	12,538	124	29,782	1,647	520,196
1851	47	11,124	156	40,789	1,800	568,483
1850	51	12,466	152	40,337	1,542	423,468

No. 4.—*Table of the total production of sugar, consumption, etc.*

	Tons.
Cane sugar	2,057,653
Palm sugar	100,000
Beet-root sugar	164,822
Maple sugar	20,247
Total	2,342,722

But the quantity of sugar from which the United States, England, Europe, and the Mediterranean is to be supplied reaches only 1,273,000 tons. Thus, for the 300,000,000 souls who are dependent on it, it gives but about 8 pounds per head, while the consumption in England is triple that quantity, and in the United States 20 pounds per head. The use of sugar in the world is rapidly increasing. In France it has doubled in thirty years. It has increased more than 50 per cent in England in fifteen years. In the Zollverein it has quadrupled. The following

table will show the imports and production of sugar in Great Britain, France, and the United States during many years:

Consumption of sugar in Great Britain, France, and the United States.

Year.	Sugar duty paid in France.				Great Britain.	United States.			Average amount.
	Colonial.	Foreign.	Beet root.	Total.		Foreign.	Louisiana.	Total.	
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Per cent.*
1841	74,515	12,042	27,162	114,719	203,200	65,601	38,000	103,606	49.52
1842	77,443	8,210	35,070	110,723	193,823	69,474	39,200	108,674	45.42
1843	79,455	9,695	29,155	118,215	204,016	28,854	64,360	93,214	42.30
1844	87,382	10,269	32,075	129,626	206,000	83,801	44,400	128,206	41.82
1845	90,958	11,542	35,132	137,632	242,831	88,336	45,000	133,336	40.40
1846	78,632	15,185	46,845	140,662	261,932	44,974	83,028	128,002	41.85
1847	87,826	9,626	52,369	149,821	290,275	98,410	71,040	169,450	34.95
1848	48,371	9,540	48,103	106,014	309,424	104,214	107,000	211,214	29.40
1849	63,335	18,979	43,793	126,107	299,041	103,121	99,180	202,301	31.00
1850	50,996	23,862	67,297	142,155	310,391	84,813	110,600	194,413	32.22
1851	.....	.....	74,999	.....	329,715	190,193	102,000	292,193	32.32
1852	32,030	14,882	67,445	114,357	360,720	228,772	118,273	347,045	23.00
1853	32,841	15,044	87,120	135,005	380,488	232,213	160,967	393,180	30.72
1854	40,113	18,943	85,825	144,981	475,095	227,982	224,662	452,644	.....
1855	45,373	49,822	52,902	148,097	384,234	236,942	173,317	410,259	.....
1856	46,767	16,456	95,103	158,326	397,448	272,631	115,713	388,344	.....
1857	42,466	25,689	[1]132,000	200,155	367,476	388,501	36,933	425,434	.....

[1] To close of February.

The production of beet-root sugar in France for four years was as follows:

Year.	Number working.	Kilos.
1854	303	77,848,208
1855	208	50,180,864
1856	275	91,003,098
1857	341	132,000,000

The figures of 1857 are only to March 1, and exceed by 54,000,000 kilograms the product of last year. The production in the Zollverein in 1855 was as follows:

	Cwt.
Prussia	14,099,263
Anhalt	2,301,364
Bavaria	247,126
Saxony	131,968
Wurtemburg	603,256
Baden	988,825
Hesse	59,137
Huringen	122,965
Brunswick	634,496

Giving a total of 19,188,402. The increase in the consumption is immense. In 1841 the total for the three countries above named was 420,000 tons. This has increased to 800,000 tons, or a quantity nearly doubled, and the supply has come from Louisiana and from beet roots. The former failed considerably in the last two years, and, as a consequence, nearly convulsed the world. The value of sugar in the open market, then, seems to depend upon the precarious crop of Louisiana, since, when that fails, the prices rise all over the world.—United States Economist.

No. 5.—*Table of number of Chinese shipped from China from 1847 to March 23, 1858.*

The following table, derived from a reliable source, exhibits the total number of vessels that have arrived at this port since 1847 with Asiatics, their flags, tonnage,

number of Asiatics shipped and landed, number and percentage of deaths, etc., which, I think, will not be deemed uninteresting:

Flags of vessels.	Number.	Tonnage.	Asiatics, number shipped.	Landed.	Deaths.	Percentage of deaths.
American	13	13,545	6,744	5,929	815	12
British	29	21,275	10,791	9,205	1,586	14¼
Dutch	8	5,003	2,773	2,463	310	11¼
French	7	6,037	3,655	3,154	501	13¾
Spanish	5	2,038	1,779	1,489	290	11¼
Portuguese	3	1,246	1,049	1,021	28	2¾
Peruvian	3	2,484	1,314	812	502	38¼
Bremen	1	560	249	236	13	5¼
Norwegian	1	470	221	179	42	19
Chilean	1	250	202	155	47	23¼
Total	71	53,008	28,777	24,643	4,134	14¼

From the foregoing it will be seen that the loss of life on the total number shipped actually amounts to 14¼ per cent; and whilst the number of deaths of those brought hither in Portuguese ships amounts to only 2¾ per cent, the number brought in American ships amounts to 12 per cent, in British ships to 14¼ per cent, and in French ships to 13¾ per cent, whilst in Peruvian ships the number of deaths amounts to 38¼ per cent.

No. 6.—*Population of the West Indies, as stated in Colton's Atlas of the World, volume I.*

Hayti:		
Haytien Empire		572,000
Dominican Republic		136,000
Cuba (slaves, 330,425)		1,009,060
Porto Rico		447,914
French islands:		
Guadalupe and dependencies		154,975
Martinique		121,478
French Guiana		22,110
St. Bartholomew		9,000
Danish islands:		
St. Thomas	13,666	
Santa Cruz	23,729	
St. John	2,228	
		39,623
Dutch islands, Curaçoa, etc		28,497
Dutch Guiana		61,080
British islands:		
Bahamas	27,519	
Turk's Island	4,428	
Jamaica[1]	377,433	
Caymans	1,760	
Trinidad[1]	68,645	
Tobago	13,208	
Granada	32,671	
St. Vincent	30,128	
Barbadoes	135,939	
St. Lucia	24,516	
Dominica	22,061	
Montserrat	7,653	
Antigua	37,757	
St. Christopher's	23,177	
Nevis	9,601	
Barbuda	1,707	
Anguilla	3,052	
Virgin islands	6,689	
British Guiana	127,695	
		963,639
Total		3,575,376

[1] Acquired from Spain.

VIEWS OF THE MINORITY.

Mr. Seward, on the part of the minority of the Committee on Foreign Relations, to whom was referred the bill (S. 497) "making appropriation to facilitate the acquisition of the island of Cuba by negotiation," submitted their views in the form of a substitute for the original bill, as follows:

A BILL concerning the relations between the United States and Spain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, at the beginning of the next annual session of Congress, communicate to the Senate, if in his opinion not incompatible with the public interests, the condition of the relations which shall then be subsisting between the United States and Spain, and of any negotiations that may then be pending for the cession of Cuba to the United States, together with such statements of the condition of the Treasury, and also of the effective condition of the Army and the Navy of the United States, as may enable Congress to judge whether at that time it will be necessary to adopt any extraordinary measures to maintain the rights and promote the interests of the United States connected with or growing out of their relations to Spain.

SEC. 2. *And be it further enacted*, That the President, if in his discretion he shall deem it necessary, in view of the condition of negotiations with Her Catholic Majesty which shall be pending during the next recess of Congress, may convene either the Senate or Congress in extraordinary session by proclamation.

February 18, 1859.

[Senate Report No. 379.]

Mr. Mason made the following report:

The Committee on Foreign Relations, to whom was referred the bill entitled "An act to allow to Edward K. Cooper and his assigns, being citizens of the United States, the exclusive right of occupying the island or key of Navassa, in the Caribbean Sea, for the purpose of obtaining and selling guano therefrom," have had the same under consideration, and beg leave to report:

It is the object of the bill referred to this committee to declare, by act of Congress, the alleged title of Edward K. Cooper and his assigns, as citizens of the United States, to the exclusive right of occupying the island or key of Navassa, in the Caribbean Sea, for the purpose of obtaining and selling guano therefrom, pursuant to the provisions of "An act to authorize protection to be given to citizens of the United States who may discover deposits of guano," passed August 18, 1856.

Upon examination of that act, the committee are satisfied that it confers upon the President of the United States full authority, at his discretion, to give, by means of a possessory title (under the restraints and limitations contained in the act), to any citizen of the United States as a discoverer of deposits of guano on any island or islands

not pertaining to or within the jurisdiction of a foreign country, or to the assigns of any such discoverer, the exclusive right to occupy and use the same.

The act is sufficiently comprehensive in its details to enable the President fully to vest in the discoverer, or his assigns, all the privileges sought to be conferred on those named in the bill referred to this committee; and the committee therefore deem any special legislation in this or other like instances of alleged discoveries of guano unnecessary.

They further consider that it is competent to the President, under the act aforesaid, in such form or mode as he may prescribe, to vest in the discoverer, or his assigns, the rights secured to such under the act aforesaid.

The committee interpret the words "at the pleasure of Congress," in the second section of the act, to mean only that Congress may, at any time thereafter, revoke the rights thus vested.

The committee will add that, having sent the bill referred to them to the Department of State, it was returned to them along with the correspondence accompanying this report, from which it would appear that Edward K. Cooper and his assigns (the beneficiaries named in the bill) had already been admitted, by authority of the President, to all the rights and privileges upon the island or key of Navassa, in the Caribbean Sea, which are provided for in the act aforesaid of the 18th August, 1856. The committee therefore report the bill back with a recommendation that it be not passed, no further legislation being necessary, as before stated, to carry the object of the bill into effect.

THIRTY-SEVENTH CONGRESS, THIRD SESSION.

February 28, 1863.

Mr. Sumner reported as follows:

The Committee on Foreign Relations, to whom was referred the message of the President communicating correspondence on the subjects of mediation, arbitration, or other measures looking to the termination of the existing rebellion, beg to report the following resolutions:

Whereas it appears from the diplomatic correspondence submitted to Congress that a proposition, friendly in form, looking to pacification through foreign mediation, has been made to the United States by the Emperor of the French and promptly declined by the President; and whereas the idea of mediation or intervention in some shape may be regarded by foreign governments as practicable, and such governments, through this misunderstanding, may be led to proceedings tending to embarrass the friendly relations which now exist between them and the United States; and whereas, in order to remove for the future all chance of misunderstanding on this subject, and to secure for the United States the full enjoyment of that freedom from foreign interference which is one of the highest rights of independent States, it seems fit that Congress should declare its convictions thereon: Therefore,

Resolved (*the House of Representatives concurring*), That while in times past the United States have sought and accepted the friendly mediation or arbitration of foriegn powers for the pacific adjustment of international questions where the United States were the party of

the one part and some other sovereign power the party of the other part; and while they are not disposed to misconstrue the natural and humane desire of foreign powers to aid in arresting domestic troubles, which, widening in their influence, have afflicted other countries, especially in view of the circumstance, deeply regretted by the American people, that the blow aimed by the rebellion at the national life has fallen heavily upon the laboring population of Europe; yet, notwithstanding these things, Congress can not hesitate to regard every proposition of foreign interference in the present contest as so far unreasonable and inadmissible that its only explanation will be found in a misunderstanding of the true state of the question and of the real character of the war in which the Republic is engaged.

Resolved, That the United States are now grappling with an unprovoded and wicked rebellion, which is seeking the destruction of the Republic that it may build a new power, whose corner stone, according to the confession of its chief, shall be slavery; that for the suppression of this rebellion and thus to save the Republic and to prevent the establishment of such a power the National Government is now employing armies and fleets, in full faith that through these efforts all the purposes of conspirators and rebels will be crushed; that while engaged in this struggle, on which so much depends, any proposition from a foreign power, whatever form it may take, having for its objects the arrest of these efforts, is, just in proportion to its influence, an encouragement to the rebellion and to its declared pretensions, and on this account is calculated to prolong and embitter the conflict, to cause increased expenditure of blood and treasure, and to postpone the much-desired day of peace; that, with these convictions, and not doubting that every such proposition, although made with good intent, is injurious to the national interests, Congress will be obliged to look upon any further attempt in the same direction as an unfriendly act which it earnestly deprecates, to the end that nothing may occur abroad to strengthen the rebellion or to weaken those relations of good will with foreign powers which the United States are happy to cultivate.

Resolved, That the rebellion from its beginning, and far back even in the conspiracy which preceded its outbreak, was encouraged by the hope of support from foreign powers; that its chiefs frequently boasted that the people of Europe were so far dependent upon regular supplies of the great Southern staple that sooner or later their Governments would be constrained to take side with the rebellion in some effective form, even to the extent of forcible intervention, if a milder form did not prevail; that the rebellion is now sustained by this hope, which every proposition of foreign interference quickens anew, and that without this life-giving support it must soon yield to the just and paternal authority of the National Government; that, considering these things, which are aggravated by the motive of the resistance thus encouraged, the United States regret that foreign powers have not frankly told the chiefs of the rebellion that the work in which they are engaged is hateful, and that a new government, such as they seek to found, with slavery as its acknowledged corner stone, and with no other declared object of separate existence, is so far shocking to civilization and the moral sense of mankind that it must not expect welcome or recognition in the commonwealth of nations.

Resolved, That the United States, confident in the justice of their cause, which is the cause also of good government and of human rights everywhere among men; anxious for the speedy restoration

of peace which shall secure tranquillity at home and remove all occasion of complaint abroad, and awaiting with well assured trust the final suppression of the rebellion, through which all these things, rescued from present danger, will be secured forever, and the Republic, one and indivisible, triumphant over its enemies, will contiue to stand an example to mankind, hereby announce, as their unalterable purpose, that the war will be vigorously prosecuted, according to the humane principles of Christian States, until the rebellion shall be overcome; and they reverently invoke upon their cause the blessings of Almighty God.

Resolved, That the President be requested to transmit a copy of these resolutions, through the Secretary of State, to the ministers of the United States in foreign countries, that the declaration and protest herein set forth may be communicated by them to the governments to which they are accredited.

(Leg. Jour., pp. 366, 367, 368.)

[See pp. 105, 107.]

FORTY-THIRD CONGRESS, FIRST SESSION.

June 9, 1874.

[Senate Report No. 426.]

Mr. Hamlin submittted the following report:

The Committee on Foreign Relations, to whom were referred various petitions praying Congress to provide for the settlement of international difficulties by arbitration, and without a resort to war, and also a "resolution concerning international law for the determination of differences between nations," have given the same careful consideration, and beg leave to submit the following resolution:

Resolved, That the United States, having at heart the cause of peace everywhere, and hoping to help its permanent establishment between nations, hereby recommend the adoption of arbitration as a just and practical method for the determination of international differences, to be maintained sincerely and in good faith, so that war may cease to be regarded as a proper form of trial between nations.

[See p. 72, and Affairs in Cuba, Vol. VII.]

FORTY-EIGHTH CONGRESS, FIRST SESSION.

March 26, 1884.

[Senate Report No. 393.]

Mr. Morgan, from the Committee on Foreign Relations, submitted the following report:

The Committee on Foreign Relations, to whom was referred Senate Mis. Doc. No. 59 and Senate Joint Resolution 68, relating to the occupation of the Congo country, in Africa, have had the same under consideration, and report a substitute for the same, and recommend its passage.

The President, in his annual message to this Congress, expresses the sentiment of the people of the United States on the subject of our

future relations with the inhabitants of the valley of the Congo, in Africa.

Our attitude towards that country is exceptional, and our interest in its people is greatly enhanced by the fact that more than one-tenth of our population is descended from the negro races in Africa.

The people of the United States, with but little assistance from the Government, have established a free republic in Liberia, with a constitution modeled after our own, and under the control of the negro race. Its area is 14,300 square miles; its population is about 1,200,000 souls; its commerce is valuable; its government is successful, and its people are prosperous.

The necessity for a negro colony in Liberia was suggested by the fact that slaves found in vessels captured for violations of the slave-trade laws and treaties were required to be returned to Africa when that was practicable, and it was impossible, and it would have been useless and cruel, to send them back to the localities where they were first enslaved. Humanity prompted certain private citizens of the United States to organize the American Colonization Society in aid of the return of captured slaves to Africa and to find a congenial asylum and home for negroes who were emancipated in the United States.

Henry Clay was for many years president of this association and assisted it with the influence of his great name and broad philanthropy.

The success of the Liberian colony has demonstrated the usefulness of that system of dealing with a social question which is, to the people of the United States, of the highest importance. It has also established a recognized precedent in favor of the right of untitled individuals to found states in the interests of civilization in barbarous countries, through the consent of the local authorities, and it has given confidence to those who look to the justice of the nations for a restoration of the emancipated Africans to their own country, if they choose to return to it.

This great duty has, so far, been left entirely to the efforts of citizens of the United States, and it has been supported almost exclusively by their personal contributions. The governments of the world have been slow even to recognize the State thus founded by the courage and means of private citizens; but it is now firmly established in the family of nations, and is everywhere recognized as a free and independent nation.

This pleasing history of progress, attended with peace and prosperity in Liberia, has given rise to a feeling of earnest interest amongst the people of the United States in the questions which arise from the recent discovery by their countryman, H. M. Stanley, of the great river which drains equatorial Africa. They rejoice in the revelation that this natural highway affords navigation for steamers extending more than half the distance across the continent, and opens to civilization the valley of the Congo, with its 900,000 square miles of fertile territory, and its 50,000,000 of people, who are soon to become most useful factors in the increase of the productions of the earth, and in swelling the volume of commerce.

The movements of the International African Association which, with a statement of its purposes, are referred to in the letter of the Secretary of State, appended to this report, are in the direction of the civilization of the negro population of Africa, by opening up their country to free commercial relations with foreign countries.

As a necessary incident of this praiseworthy work, which is intended in the broadest sense for the equal advantage of all foreign nations

seeking trade and commerce in the Congo country, the African International Association has acquired, by purchase from the native chiefs, the right of occupancy of several places for their stations and depots. The property so acquired is claimed only for the association, which is composed of persons from various countries, and it could not, therefore, be placed under the shelter of any single foreign flag.

From the time when the people of Christian countries began to export slaves from Africa, the custom grew up of locating "barracoons" or slave depots along the African coasts and rivers, and they were each placed under the shelter of the flag of the country to which the slave merchants belonged. In this way certain settlements were made along the shores of the Congo River as far inland as Yellala Falls, and were claimed and held under the protection of the respective flags of the countries from which these traders came.

This was, generally, a mere personal adventure, and had no relation to any governmental authority of those countries over the barracoons. When this traffic took the shape of legitimate commerce with the natives, these places were called factories, and they gradually assumed certain powers of self-government as their necessities required. Each factory was independent of the control of all others, and established for itself such regulations, having really the effect of laws, as was necessary to protect life and property. To this day those settlements are held in the same way, and while the governments, whose flags are thus displayed over them, claim no sovereignty there, they do recognize the rights of their people at such places as entitling them to protection, and they require their flags to be respected.

In some instances the native chiefs sold the lands on which the factories were situated, with the privileges of trade to foreign companies, and these in turn sold them to persons of still other nationalities.

The African International Association established its stations, and opened roads leading from one to another around the falls of the Congo, in the same way that the older factories had been established, with the additional facts in their favor that their settlements were always preceded by an open agreement with the local government in the form of a treaty. A flag was as necessary for the purposes of their settlement and as an indication of their right and to designate the places under their control, as it was to the slave traders, whose only advantage is that they have been in possession a long time for the purposes of nefarious traffic in slaves, while the association has been in possession only a short time for the benign purposes of introducing civilization into that country.

Having no foreign flag that they could justly claim, they adopted a flag and displayed it, a golden star in a field of blue, the symbol of hope to a strong but ignorant people, and of prosperity through peace. The native people instinctively regarded that as the first banner they had seen that promised them good will and security, and they readily yielded to it their confidence.

There is no historical record to be found of such a rapid and general assembling of separate and independent rulers under a banner that was raised by the hands of strangers as that which took place amongst the chiefs and people of the Free States of the Congo. Within five years from the time the banner of this association was first displayed on the Congo, its agents have made nearly one hundred treaties with the chiefs of the different tribes in the Congo country. In each of these treaties there are valuable commercial agreements and regula-

tions touching law and order, and certain delegations of limited powers, all of which are intended for the better government of the country.

The powers are not ceded to a new and usurping sovereignty seeking to destroy existing governments, but are delegated to a common agent for the common welfare. In the language of the first treaty, concluded at Vivi June 13, 1880, and which is the plan after which nearly one hundred subsequent treaties have been modeled—

> The aforesaid chiefs of the district of Vivi recognize that it is highly desirable that the comité d'etudes of the Congo should create and develop in their states establishments calculated to foster commerce and trade, and to assure to the country and its inhabitants the advantages which are the consequence thereof.
>
> With this object in view they cede and abandon, in full property (fee simple), to the comité d'etudes, the territory comprised within the following limits, etc.

A copy of this treaty is appended to the report of the committee.

If these local governments had the right to make these concessions, so much sovereign power as they confer upon the African International Association is entitled to recognition by other nations as justifying its claim to existence as a government de jure. Or, if there is still a question as to its sovereignty, affecting either its territorial extent or the subjects as to which it may legislate, there is still enough of concert amongst the native tribes, in placing themselves in treaty relations with this association, to warrant other nations in recognizing its existence as a government de facto. In either case it is our duty so to recognize it, because its purposes, as avowed in those treaties, are peaceful, and commend themselves strongly to the sympathies of our people.

The golden star of the banner of the International Association represents hospitality to the people and commerce of all nations in the Free States of the Congo; civilization, order, peace, and security to the persons and property of those who visit the Congo country, as well as to its inhabitants; and if, in the promotion of these good purposes, it lawfully represents powers ceded or delegated to the Association by the local governments necessary to make them effectual, it does not thereby offend against humanity nor unlawfully usurp authority in derogation of the rights of any nation upon the earth.

Powers asserted in good faith, and with a reasonable show of ability to maintain them, even by rebels, within a state that denounces their assertion as treasonable, are often recognized as being lawful, as well in the interests of humanity as to give to the alleged rebels an opportunity to make good their pretentions by arms.

The history of our recent civil war discloses the recognition of the belligerent rights of the Confederate States by all nations, including the United States, which wholly denied the lawfulness of the acts of secession which led to hostilities, and denounced them as treasonable.

If the flag of the Confederate States could protect its armed citizens against the penalties of piracy while destroying the ships and commerce of the United States, it would be difficult to state a reason why the flag of the International African Association should not protect its ships from capture and condemnation while carrying on peaceful commerce on the Congo. It would be still more difficult for any Christian nation to assign a reason founded in the principles of international law why it should refuse to recognize this flag. The Congo River has been for centuries, and is now, the common resort of the ships and flags of all countries, and it requires a total change of the political conditions in that country to destroy this right, and either to declare the waters and shores of the Congo as being neutral

territory or as being under the sovereignty of any one or more of the foreign nations.

These reasons, and others which appear in the papers appended to this report, are a just and sufficient foundation for the declaration by the United States which individualizes the flag of the African International Association as a national flag, entitled to our recognition and respect.

The precedents in our own history to justify our recognition of states while in the process of early development are numerous and conclusive. They are cited in the papers appended to this report, and are sustained by many other references which show that in Europe, Asia, and Africa civil power, exerted by commercial associations, and by religious orders, and by propagandas of civilization, and by groups of Hospitalers, has owned large war fleets and raised armies, fought great battles, levied taxes, and performed every function of government. They did all this without claiming to possess sovereign power as organized nations; and they submitted themselves to the authority of the state after they had prepared the country where they ruled for that final act of establishment of sovereign power, and then they ceased to exist.

It is not necessary to go further in order to find a justification of the action suggested in the message of the President, and of the resolution which the Committee on Foreign Relations recommend as a proper means of carrying into effect this policy concerning the Free States of the Congo.

It is, however, proper to make some examination of the alleged claim of Portugal to the sovereignty of the mouth of the Congo, and of the riparian country as far to the interior as the first falls of Yellalla.

Portugal's pretentions to this sovereignty are completely refuted by the fact that it has not been heretofore acknowledged by the five great powers whose flags have been flying for more than a century in the country now claimed by that Government. On the contrary, these powers have constantly refused to make any such concession on all occasions since 1786, and some of them previous to that time.

The claim of Portugal, based on discovery of the mouth of the Congo by Diogo Cam in 1485, and by his having erected a monument on the shore to testify to his landing there, only establishes its antiquity and not its rightfulness under modern interpretations of the laws of nations.

If the laws of Christian nations give any effect to the discovery by the subjects of a Christian power, of a country inhabited even by savages, they also require that discovery shall be followed by continuous subsequent occupation. If such occupation ceases it is justly considered as being abandoned, since the only foundation of reason or of justice that can support the occupation of an inhabited country by a foreign power is, that it is better that the savages should have the advantages of Christian instruction and laws, than that they should continue in darkness to rule the country in their own way. If, therefore, the Christian ruler should cease to occupy the country, it must be considered that he abandons his duty, and, with it, the sovereignty of the country.

Portugal did not exert continuous or exclusive authority on the Congo for any great while; her possessions there, as well as those of the other Christian powers, fluctuated with the supply of slaves, the

capture or purchase of which was the chief inducement to these settlements. They all followed up the supply of slaves from the interior of Africa, along the coast, according to its abundance, as the fishermen visit different localities in search of better fishing grounds.

In 1786, disputes having arisen between France and Portugal as to the sovereignty of the latter over the mouth of the Congo, under the mediation of the King of Spain, Portugal conceded the point that her rights in that country were not exclusive. Since that time England has repeatedly denied, in the most formal and solemn manner, that Portugal had any sovereignty or suzerainty over the Congo country. None of the great powers claimed such sovereignty for themselves, nor have they conceded it to Portugal; their occupancy has not been such as implied any right to rule the country, but only such as was necessary to carry on trade. That is equally free to all nations. In the papers appended to this report, and especially in the valuable testimony of Earl Mayo, based upon his personal observations in the Congo country in 1882, we find the most conclusive proof upon all the points above stated, and unquestionable evidence that Portugal's northernmost boundary on the west coast of Africa, south of the equator, for many years past, has been the river Loge.

The attitude of Great Britain toward the pretensions of Portugal to the sovereignty of the Lower Congo has been that of decided, frequent, and stern denial, accompanied with distinct orders to her fleets to repel any advance of Portugal to assert her authority north of Ambriz. This record, so repeatedly reaffirmed, is by no means changed by the fact that Great Britain may now be ready to admit Portugal, in alliance with her, to sovereign rights in the Lower Congo. Her change of policy can not change the facts, especially when Great Britain obtains from Portugal the cession of Wydha in consideration that she will acknowledge the rights of Portugal to the sovereignty of the Lower Congo. Great Britain has also made treaties with 15 tribes in the Lower Congo country, paying no attention to Portugal's claims of sovereignty there.

In like manner France has disregarded these pretensions, and has made treaties with tribes north of the Congo. De Brazza, an enterprising explorer, went into that region of Africa as an agent of the African International Association, and also as an agent of the French Government, and was supported with money from the French treasury. He made these treaties in the name of France, and the Chamber of Deputies has ratified them. In view of these facts it can scarcely be denied that the native chiefs have the right to make treaties. The able and exhaustive statements and arguments of Sir Travers Twiss, the eminent English jurist, and of Professor Arntz, the no less distinguished Belgian publicist, which are appended to this report, leave no doubt upon the question of the legal capacity of the African International Association, in view of the laws of nations, to accept any powers belonging to these native chiefs and governments which they may choose to delegate or cede to them.

The practical question to which they give an affirmative answer, for reasons which appear to be indisputable, is this: Can independent chiefs of savage tribes cede to private citizens (persons) the whole or part of their States, with the sovereign rights which pertain to them, conformably to the traditional customs of the country?

The doctrine advanced in this proposition, and so well sustained by these writers, accords with that held by the Government of the United States, that the occupants of a country, at the time of its discovery

by other and more powerful nations, have the right to make the treaties for its disposal, and that private persons, when associated in such country, for self-protection or self-government, may treat with the inhabitants for any purpose that does not violate the laws of nations.

The following incidents mentioned in Bancroft's History of the United States, show how much we owe, as a people, to the early recognition of these doctrines:

MASSACHUSETTS.

One day in March, 1621, Samoset, an Indian who had learned a little English of a fisherman at Penobscot, entered the town, and, passing to the rendezvous exclaimed in English, "Welcome Englishmen!" He was the envoy of Massasoit himself, the greatest commander of the country; sachem of the tribe possessing the land north of Narragansett Bay, and between the rivers of Providence and Taunton. After some little negotiation, in which an Indian who had been carried to England acted as interpreter, the chieftain came in person to visit the Pilgrims. With their wives and children they amounted to no more than 50. He was received with due ceremonies, and a treaty of friendship was completed in few and unequivocal terms. Both parties promised to abstain from mutual injuries, and to deliver up offenders; the colonists were to receive assistance, if attacked; to render it, if Massasoit should be attacked unjustly. The treaty included the confederates of the sachem; it is the oldest act of diplomacy recorded in New England, it was concluded in a day, and was sacredly kept for more than half a century. (Bancroft's History of the United States, p. 210).

The men of Plymouth exercised self-government without the sanction of a royal charter, which it was ever impossible for them to obtain. (Ibid, p. 213.)

The attempt to acquire the land on Narragansett Bay was less deserving of success. * * * In 1641 a minority of the inhabitants, wearied with harassing disputes, requested the interference of the magistrates of Massachusetts, and two sachems near Providence surrendered the soil to the jurisdiction of that State. (Ibid, p. 287.)

PROVIDENCE PLANTATIONS AND RHODE ISLAND.

In June (1636) the lawgiver of Rhode Island (Roger Williams), with five companies, embarked on the stream; a frail Indian canoe contained the founder of an independent State and its earliest citizens. Tradition has marked the spring of water near which they landed. To express unbroken confidence in the mercies of God, he call the place Providence. * * * The land which he occupied was within the territory of the Narragansetts. In March, 1638, an Indian deed from Canonicus and Miantonomoh made him the undisputed possessor of an extensive domain; but he "always stood for liberty and equality both in land and government." The soil became his "own as truly as any man's coat upon his back;" and he "reserved to himself not one foot of land, not one tittle of political power, more than he granted to servants and strangers." He gave away his lands and other estates to them that he thought most in want until he gave away all. (Ibid, p. 254.)

Before the month (March, 1638,) was at an end, the influence of Roger Williams and the name of Henry Vane prevailed with Maintonomoh, the chief of the Narragansetts, to make them a gift of the beautiful island of Rhode Island. * * * A patent from England was necessary for their security; and in September they obtained it through the now powerful Henry Vane. (Ibid, p. 263.)

CONNECTICUT.

In equal independence a Puritan colony sprang up at New Haven, under the guidance of John Davenport as its pastor, and of his friend the excellent Theophilus Eaton. * * * In April, 1638, the colonists held their first gathering under a branching oak. * * * A title to lands was obtained by a treaty with the natives whom they protected against the Mohawks. (Ibid, p. 271.)

NEW HAMPSHIRE.

At the fall of the leaf in 1635, a band of twelve families, toiling through thickets of ragged bushes and clambering over crossed trees, made their way along Indian paths to the green meadows of Concord. A tract of land 6 miles square was purchased for the planters of the squaw sachem and a chief, to whom, according to Indian laws of property, it belonged. (Ibid, p. 257.)

NORTH CAROLINA.

In 1660 or 1661 New England men had found their way into the Cape Fear River, had purchased of the Indian chief a title to the soil, and had planted a little colony of herdsmen far to the south of any English settlement on the continent. (Ibid, p. 409.)

It is known that in 1662 the chief of a tribe of Indians granted to George Durant the neck of land which still bears his name. (Ibid, p. 410.)

We owe it as a duty to our African population that we should endeavor to secure to them the right to freely return to their fatherland, and as freely to agree with their kindred people upon any concessions they may choose to make to them as individuals or as associated colonists, looking to their reestablishment in their own country. The deportation of their ancestors from Africa in slavery was contrary to the now accepted canons of the laws of nations and now they may return under those laws to their natural inheritance. In exercising this right they should not be obstructed by a power that had more to do with their enslavement and expulsion, in bondage, from their own country than any other, and that never held a claim upon that country for any purpose of advantage to the people there, but held it chiefly, if not entirely, for the mere purpose of enslaving them.

It is stated, with the support of strong testimony that Portugal is still protecting the slave trade on the west coast of Africa under a thin guise of the voluntary emigration of the negroes to other countries.

Extracts appended to this report, from Earl Mayos De Rebus Africanus, in which he gives an account of his personal examination, in 1882, of the Portuguese trading posts, supported by the report of M. du Verge, our United States consul at St. Paul de Loando, show that slavery still exists in the country claimed by Portugal on the Congo, and is fostered there and at St. Paul de Loando by the Portuguese residents.

This violation of the slave-trade treaties renders the occupancy by Portugal of any African territory at the mouth of the Congo dangerous to all the tribes of the interior, and can not be sanctioned by the treaty powers while it is attended with such incidents without an abandonment of all treaty obligations and duties relating to the slave trade.

The importance of the Congo River to the continent of Africa as a channel through which civilization and all its attendant advantages will be introduced into a region inhabited by 50,000,000 of people can not be too highly estimated.

After Stanley had made his journey of exploration of nearly 7,000 miles across the continent of Africa, and had revealed to the world the extent and importance of this great river Congo, all the great commercial nations at once began to look earnestly in that direction for a new and most inviting field of commerce, and with the high and noble purpose of opening it freely to the equal enjoyment of all nations alike.

The merchants of Europe and America insist upon this equal and universal right of free trade with that country, and their chambers of commerce have earnestly pressed upon their respective governments the duty and necessity of such international agreements as would secure these blessings to the people of Africa and of the entire commercial world.

The enlightened King of the Belgians has supplied the means from his private purse to inaugurate civilization in the Kongo country under the authority of its native rulers. He has no thought of extend-

ing the power of his realm over that country, but has engaged in this movement only as any citizen might.

The following extract, copied from the Pall Mall Gazette, printed in 1882, gives an account in brief of the progress made by the African International Association within the first three years after Stanley's discovery:

The interests involved on the Kongo are very considerable. The imports of English manufactures are said to amount to £600,000 per annum. Two British steam companies call regularly at the mouth of the river, and the gross exports and imports are stated to amount to £2,000,000 per annum. The Portuguese claim to have 25 or 26 of the 49 European factories established on the Congo, and nine-tenths of the foreign population is of Portuguese origin. But English traders deny that there is a single Portuguese merchant on the Congo, and say, with the exception of a few unimportant factories on the coast north of Ambriz, Portugal has no commercial interest in the territory. Some idea of the depth of the Congo may be gained from the fact that vessels of 5,000 tons burden can anchor in the stream off Vivi, 120 miles from the sea. Above Isangila the cataracts form the serious obstacle to communication with the interior. Mr. Stanley has made a road 100 miles long past the cataracts, across which he has transported to the Upper Congo three steamers in sections. Two steamers—the *Belgique* and the *Esperance*—trade between Vivi and the mouth of the river, the *Royal* plies between Manganya and Isangila, while the *En Avant* was launched in Stanley Pool on December 3, 1881. From Stanley Pool the *En Avant* can steam for 800 miles into the very heart of Africa. Mr. Stanley, who left this country last December, is now on his way to the Upper Congo at the head of 300 well-armed negroes from Zanzibar. The Baptist Missionary Society has 11 missionaries, 4 stations, and 1 steamboat on the river. In August, 1877, Mr. Stanley concluded his long march of 6,000 miles from the east to the western coast of Africa, and arrived at the mouth of the Congo with the discovery, made at a cost of 3 white men and more than 250 natives of his escort, that the river Congo, or, as he called it the Livingstone, was the most magnificant waterway in Africa, draining a watershed of 860,000 square miles, and opening a highway for European commerce to the whole of the equatorial region of an almost unknown continent. Mr. Stanley declared on his return that whatever power could possess itself of the river would absorb to itself the trade of the whole of the enormous basin behind, which extends across 13 degrees of longitude and covers 14 degrees of latitude. Next year the International African Association was formed, under the presidency of the King of the Belgians, and exploring parties were dispatched to open up the Congo by establishing a series of exploring stations which in time would extend across Africa. At the same time the French Government entered upon a scheme of its own of a similar nature, and various adventurers, of whom M. de Brazza is the most notorious, were dispatched to Central Africa to pick up whatever unconsidered trifles of territory might be found unappropriated, in order to gird the continent with the tricolor.

Its progress is thus further described by an agent of the African International Association in a letter within the past month:

BRUSSELS, *February 25.*

* * * * * * *

Our territories are extending now on a very rich coast south and north of the mouths of the Quilioa, a distance of more than 350 kilometers (about 300 miles). That coast has given itself to us by unanimous acclamation of the natives, who hoisted our flag and refused our presents.

Our territories are going to be divided into three provinces: (1) Coast and Guilou Madi; (2) Lower Congo, Vivi, Stanley Pool; (3) Upper Congo.

Our governmental organizations will then be complete; In Africa, a head chief and governors administering the country and justice; in Europe, the association providing for the financial wants of the new State and representing the new State and many native sovereigns who have confederated with us and hoisted our flag.

This is the present situation and prospects of the enterprise.

It may be safely asserted that no barbarous people have ever so readily adopted the fostering care of benevolent enterprise as have the tribes of the Congo, and never was there a more honest and practical effort made to increase their knowledge and secure their welfare.

The people of the Congo country and their benefactors alike deserve the friendly recognition of the United States in their new national character.

Your committee, therefore, report a substitute for the resolutions referred to them by the Senate and recommend its passage.

DEPARTMENT OF STATE,
Washington, January 18, 1884.

SIR: I am in receipt of your letter of the 14th instant, in relation to the Valley of the Congo, in which you ask the nature of the understanding on which it is being occupied by settlements, etc.

The settlements are all under the general charge of the International African Association, which originated in a congress convened in 1876 by invitation of the King of the Belgians, the object of which it declared to be to extend civilization through Central Africa, and as a means thereto it has built roads around the cataracts and established stations to aid travelers, traders, and missionaries. The executive committee of the association consists of Dr. Nachtegal, Mr. de Quatrefages, and Mr. Sanford, of Florida, formerly our minister to Belgium. Each nation has a branch association in its own country, of which, in the United States, Judge Daly was, and Mr. Latrobe, of Baltimore, is, the president. Stations have been fixed as far as the Central Lakes, and it is understood that the ground occupied by them has been obtained usually on long leases through friendly agreement with the native chiefs, the whole policy of the association being a peaceful and benevolent one. It is an open secret that the funds which supply the vast expense of this association are furnished by the King of the Belgians from his private means. The entire work on the river is under the executive management of Mr. Stanley. Before Mr. Stanley's well-known exploration, when coming from Zanzibar, he struck the Congo near its source and followed it to its mouth, it is not known that any white men had penetrated above the lower cataract, the first station which Mr. Stanley struck on his way to the sea being at Boma, or Emboma, as it is sometimes called; yet the Portuguese claim political rights in the valley, which, however, are not admitted by other nations. Over all the stations of the African Association on the Congo floats the flag of that association; and it is the theory, I understand, to gradually build up, and educate, at the different posts, in the natives and settlers, a power of self-government, by which they shall be self-sustaining.

I am glad to see that your attention has been directed to this matter. The population of the Valley of the Congo is very large, estimated by Mr. Stanley, I believe, at about 50,000,000. It is rich in natural resources, and undoubtedly offers a market for our productions, particularly in a certain grade of cottons, which are more popular in Africa than any produced by other nations, and probably in notions, some kinds of tools, etc. The passage in the President's message indicates his desire that the United States should not lose its share of the trade and commercial influence in this interesting and rich valley.

Lack of funds has prevented this Department from making that careful and official examination upon the spot which the President would have liked to direct.

In conclusion, I have the honor to refer you to the New York Herald of Sunday, December 30, which contains a map of the lower basin of the Congo, prepared under Mr. Stanley's direction, which is not elsewhere published, and a very full and interesting article on the subject.

I have the honor to be, sir, your obedient servant,

FRED'K T. FRELINGHUYSEN.

Hon. JOHN T. MORGAN,
United States Senate.

DEPARTMENT OF STATE,
Washington, March 13, 1884.

SIR: In further reply to your letter of the 14th January, and in reply to your letter dated the 6th of February, in relation to settlements on the Congo River, I have the honor to inform you that I have given the matters careful attention and consideration.

The Congo Basin may be described under the designation of the Upper and Lower Congo. The Lower Congo extends from Vivi, the base of supplies and the first station of the African International Association, at the foot of the Cataracts,

to the mouth of the Congo River. Its principal port is Boma, formerly the center of the slave trade of that region. A more legitimate trade is now taking its place. Factories of different nationalities are rapidly increasing there, and the protection of life and property of our citizens requires that something should be done, probably in concert with other powers, to replace the crude and often cruel acts which now take the place of organized justice under the arbitrary action of the separate nationalities there assembled.

Both banks of the Lower Congo have been claimed by Portugal. It is not necessary at this time to discuss this claim, as it should not in any event be admitted to extend to and control of the Upper Congo, discovered by an American and opened to the world and to civilization by the African International Association. To this region free access both by land and water should be secured to our citizens and trade.

This African International Association, under the presidency of the King of the Belgians, with an executive committee representing the English-speaking, Germanic, and Latin races, and composed of leading men of both continents, has for its sole object the development of the vast, fertile, and populous regions of Central Africa by a chain of posts or stations under its flag, which shall give hospitality and aid to all comers, traders, or missionaries, or others. It has acquired from native chiefs or kings, by peaceful cession or purchase, a large extent of territory bordering on the Congo and adjacent rivers, extending over 2,000 miles of river banks, covering many square miles of territory, many hundreds of thousands of people, and has established twenty-two stations under the flag of the association. It has a numerous personnel and local organization of Americans, Europeans, and natives; is served by seven steamers under the same flag; each of the stations has become a center of trade and industry, rapidly increasing in population, and which seeks the protection of the association for its commerce and from the slave trade. These stations appear to be governed by regulations and laws mostly drawn from those of European States, as transmitted to them by the association, and are still in part supported, for the present, until their resources from the country are further developed, by the International Association, which only waits, as we have been notified, more complete development to leave them as free States of the Congo, to freely elect their own rulers and provide for their own maintenance. Until that be done, the association makes provision for them.

The attention of the Government has been called to this condition of things, not alone in the interests of our citizens seeking trade with that vast and fertile region and as an outlet for the overproduction of our manufactures, but as also a practical means of striking at the roots of the slave trade. Heretofore, under treaties, ships of war have been employed on both the eastern and western coasts of Africa, at great expense, to intercept the slave vessels and the shipments of slaves.

Boma, near the mouth of the Congo, until recently was the great mart of the west coast for the trade and shipment of slaves, and the country on both banks of the Congo, for a considerable distance back, has been devastated and depopulated for the purposes of the traffic. The abolition of the slave trade by most civilized nations has changed the course of this traffic, which now finds its outlet by the eastern coast to the Soudan, Arabia, etc., in very restricted proportions, however. I have no definite information on the subject, but it is stated that about 10,000 slaves are still exported annually, at a cost of several times that number of lives, and the destruction of many villages.

The practical way of treating this subject and of securing protection to our citizens in their legitimate enterprises, appears to be the recognition, as a friendly flag, of the flag of the International Association which floats over these stations as the sign of protection and of civilization to the hundreds of thousands of people flocking around it, and the appointment of an agent of the Government to reside there. It is proposed by the association to admit American goods free of all duties; to permit Americans, whether traders or missionaries, to hold property and to exercise every legitimate pursuit, to assure them the same privileges that may hereafter be accorded to any other people, and to abolish the slave trade in all the regions acquired by the association. In return, we are asked to accept these privileges by simply a declaration, and a direction to our agents abroad to recognize the flag of the International Association as a friendly one.

It is asserted by some that a political organization would be necessary for such a recognition, and that political consequences would be derived from it. But it is conceived that there is nothing in international law to prevent a philanthropic association from founding a State any more than there is to prevent bands of individuals, whether Puritans or adventurers, from so doing. There are many precedents for this in history which are well known to you and need not be here repeated further than to suggest one which is of peculiar interest to the United States, and peculiarly applicable to this case.

Liberia, like the states of Congo, was founded by private citizens united in a philanthropic association, under the name of the American Colonization Society, and it derived no authority from the Government. It remained from 1822 to 1876 under the protection of its founders, who during all this time continued to aid the young republic, by sending it some $3,000,000 and emigrants well provided with resources for their first establishment. The regulations adopted in 1839 for Liberia by the Colonization Society having led to certain impediments to commerce with other countries, the English Government, although sympathetic to the colony, protested, on the ground that Liberia being neither an independent state nor a dependency of the United States, England could not recognize in its authorities the right to levy taxes upon goods imported by British subjects. The administrative council of Liberia referred the matter to the Colonization Society, and asked to be permitted to constitute itself as an independent state, which was granted.

The question of the recognition of the rights and flag of the International Association would appear, therefore, to resolve itself into a question of its territorial rights. The Department has cognizance of seventy-nine treaties conveying to it concessions of territory with other sovereign rights by indigenous chiefs, and can not but admit that any rights heretofore pertaining to those native princes, whether of sovereignty or possession, appear to have been duly ceded to the International Association. If such chiefs are capable of making a treaty with foreign states—and we have numerous instances where Great Britain and other powers have recognized and made treaties with uncivilized tribes—it fails to be apparent why such tribes may not equally make treaties with a philanthropic association, nor why the United States may not recognize such sovereign powers, and thereby secure protection for the legitimate enterprises of our citizens.

To resume: The stations and territory of the International Association appear to have local government. Their chiefs are chiefs of districts. They have made an agreement with native kings to form a union on certain conditions which have been carried out. What we might properly ask for, therefore, has been done. What is asked for by the International Association is not so much recognition of the governments of the stations and territories at this time, as that, in consequence of an exchange of declarations, its flag would be treated as a friendly flag. What exists on the Congo under the flag of the International Association, the settlements, the forces, the administrations, the agreements with the native chiefs, appear sufficient to justify and authorize such a recognition. The action, which has its center in Brussels (the headquarters of the International Association), does not appear necessarily an impediment; its action is provisional; it shares in the government of the territories only in their interest and behalf. Publicists generally agree that the International Association (a private association) has, as has been before shown, a full right to found free states. If the International Association has that right, it must also have the right of supporting its creation during a certain time. Various provisional governments have been recognized by us at different times without any care as to the detail of the laws which they had to make to achieve their constitution, or as to the place of their residence.

The International Association exists only for its stations. It has no commerce; it gives no dividends. It is part of their life until it dissolves into them, the future Free States of the Congo.

Should it be deemed advisable to take action in the matter of the opening of the Congo to American trade, it will be advisable to provide funds, that an agent of the Government may be sent there to watch events and to report.

I have the honor to be, sir, your obedient servant,

FRED'K T. FRELINGHUYSEN.

Hon. JOHN T. MORGAN,
United States Senate.

1925 G STREET, *Washington, March 24, 1884.*

Hon. JOHN T. MORGAN,
United States Senate.

DEAR SIR: In reply to your request for specific information as to the origin and objects of the International African Association, I have the honor to state that the African International Association owes its origin to the King of the Belgians, who, in 1876, convened a conference of distinguished African travelers of different nationalities at his palace in Brussels, in September of that year, to devise the best

means of opening up to civilization equatorial Africa. The result of this conference, which recommended the establishment of stations, provided for a permanent central organization and branch organizations in other countries, was the convoking a commission or congress, which met at the palace in Brussels in June, 1877, and at which delegates from Austria, Belgium, France, Germany, The Netherlands, Spain, Switzerland, and the United States were present. An executive committee, consisting of three representatives of the English-speaking, Germanic, and Latin races, in the persons of Henry S. Sanford of Florida, Dr. Nachtigal (the African explorer) of Berlin, and M. de Quatrefages (of the Institute) of Paris, for these races respectively, under the presidency of the King, was confirmed, and the practical means of carrying out the objects of the association were discussed and determined upon.

These were, the organization of a branch in each of the various states of Europe and in America, which should aid in attracting attention to this work, and in founding "hospitable and scientific" stations, under the flag of the association, which flag it was determined should be a blue flag with a golden star in the center. It was also decided to commence the founding of these stations on the east coast, at Zanzibar, stretching over to the lakes.

An extract from the proceedings, defining what these stations, destined to form a chain of posts from ocean to ocean, should be, is given, as best explaining the purpose of the association.

"*What a station should be.*—The executive committee receives from the International Association entire liberty of action in the execution of the following general dispositions for the foundation of scientific and hospitable stations: The personnel of a station is to consist of a chief and a certain number of employees, chosen or accepted by the executive committee. The first care of the chief of a station should be to procure a suitable dwelling, and to utilize the resources of the country, in order that the station may be self-supporting.

"The scientific mission of a station consists, in so far as it is practicable, in astronomical and meteorological observations; in the formation of collections in geology, botany, and zoology; in the mapping of the environs of the station; in the preparation of a vocabulary and grammar of the language of the country; in ethnological observations; in reporting the accounts of native travelers of the countries they have visited; and in keeping a journal of all events and observations worthy of notice.

"The hospitable mission of a station shall be to receive all travelers whom the chief shall deem worthy; to provide them, at their cost at the place, with instruments, goods, and provisions, as well as guides and interpreters; to inform them as to the best routes to follow, and to transmit their correspondence. It will also be the duty of a station to insure as rapid and as regular communication as possible from post to post between the coast and the interior.

"One of the ulterior objects of the stations will be, by their civilizing influences, to suppress the slave trade."

The result of this movement has been the opening up of a highway, so to say, from Zanzibar to Lake Tanganyka, mostly with capital furnished by the Belgians,[1] the last of the stations being at Karema, on the lake, two of the intermediary stations being founded respectively by the French and German branches of the association.

After Stanley discovered the Upper Congo, in 1877, a branch of the International Association was formed the year following for special work on the Congo, under the name of the Comité d'Études of the Upper Congo, but under the flag of the association, and special contributions for it were made by philanthropic friends of the association. This work, which the King of the Belgians has taken under his especial personal and financial protection, has developed to extraordinary proportions, and has had for practical result the opening up to civilizing influences and to the world's traffic this vast, populous, and fertile region, and securing certain destruction to the slave trade wherever its flag floats. The only practical difficulty in this wonderful progress proves to be an unrecognized flag, which is liable to be misunderstood or abused, and the people under it subjected to impediments in their philanthropic work on the part of those engaged in the slave trade, or for other selfish ends.

I have the honor to be, very respectfully, yours,

H. S. SANFORD,
Member of the Executive Committee of the International African Association.

[1] The subscriptions in Belgium alone the first year amounted to over $80,000 (of which about $25,000 annual subscriptions) by over 150,000 persons of all classes.

[Extract from the report of L. de R. du Verge, United States consul at St. Paul de Loando, to the Department of State, of date July 7, 1883.]

TRADERS ON THE LOWER CONGO.

After having chosen a convenient location for one's affairs, the chiefs who are entitled to receive the duties or taxes are called. These taxes are in reality rents, as the negroes do not sell their lands, and do not give them up except for an annual or monthly payment. The tenant has a right to his land just so long as he pays his tax or rent, which consists, besides the payment of installation, also that of rations to the King, amounting to a gallon of rum and eight yards of cotton cloth at the end of every month, and the people that the King is obliged to supply and for whom he is responsible.

The people that the King is obliged to supply are: Lingster (translator), comprador (purchaser), mafuca (body servant), and four servants (mocos).

The duty of a lingster in a factory is to attend to the payment of produce, serve as interpreter in communicating with the natives, and to keep his employer well informed with regard to the business done by his neighbors.

The comprador serves to measure the produce, settle all difficulties arising from such measurements, and to withdraw from each measure the countage (tax) going to the King.

The countage consists of a plate of grain for every measure of the same, and about 1 or 2 gallons of oil to every measure of the same, which is set apart until there is sufficient to be measured, when the King goes to receive it.

The mafuca oversees the work of the servants and substitutes the interpreter in his absence. The mafuca is not in duty bound, but he has a right to his pay all the same.

If one of these seven personages should for any reason whatever run away, the King is obliged to return him or replace him; if not, he loses all rights to his rations, taxes, etc., until he has replaced the runaway or paid the robbery, if the departure be in consequence of a robbery.

TRADE—RUNNERS (COWEDORES) EMPLOYED FOR THAT PURPOSE, AND THE ABUSES ARISING FROM THEIR USE.

The manners and customs which have been introduced by certain Europeans to the negroes have rendered it impossible to trade with the natives without the cowedores. These act as couriers who, for a certain payment, and furnished with a supply of gin and spirits, waylay the natives along the routes they take when bringing in produce for trade, conducting them to the employer's factory.

It often occurs that the negroes follow these cowedores of their own free will, but likewise it happens that when the negroes will not follow them they bind them and oblige them to go to the house of their employers; or when the cowedor knows there is not a certain kind of goods at his factory and conducts the negroes or trade to another merchant's factory, he is in like manner bound by the slaves of his employer; for, although slavery is abolished, there is any quantity of it to be found, some in chains and others at liberty in the Portuguese houses, so that the cowedor becomes the slave of the white man unless his family is willing to pay an exorbitant price for his liberty. These abuses and violences are very often the reason why the trade route is often closed, as the natives, alarmed at the constant violence of the Kroboys straggling along the routes, who hinder their free circulation, have almost abandoned the Congo and go to sell their produce where they can move about freely, or remain in their villages, where they cultivate only what is requisite and sufficient for their families.

This is the reason why the Congo, on account of violence and injustice, from being one of the most productive rivers only about ten years ago, has become, comparatively speaking, completely abandoned by the natives.

The purchase of slaves continues at the values of £5 or £6 each, or when not to be bought they are obtained in the following manner: Any article or object whatever is laid aside, out of the way, but within reach of the negro, who robs it at once, and, being taken in flagrante delictu, becomes at once a slave; if he is a person of importance and is claimed by his relatives, or by the chiefs of the village to which he belongs, he is sometimes given up in exchange for two or three slaves that substitute him and lose thereby the liberty they enjoyed to become slaves in their village, put in chains, and there made to work under the lash and the rod.

Therefore should any government seriously wish to correct or avoid any further slavery in chains, bondage, and unjust punishments, and secure free trade, and that the Congo should again be productive to commerce, as it was about ten or fifteen years ago, the following must be attended to:

The cowedores are one of the principal causes of the lack of trade, for besides the payment which they receive, and which can be given to the native trader, they rob also the payments which they receive. Some houses have more than 200 cowedores. They receive a certain number of counters with numbers corresponding to the same numbers, with the name of the cowedor entered in a book expressly kept for the purpose at the fetich (the place where the trade is paid and settled); the cowedor generally receives 20 markers or counters for each case of gin or demijohn of spirits. Each counter represents a measure.

The cowedor is present at the measuring and accompanies the native trader, who receives an order for every measure that he measures at the fetich. The cowedor takes note of these orders, and sends a counter with each one, which is kept in a drawer until the number is complete. If the negro has done much trade through the intervention of the lingster, who pays in the fetich, he will rob so much per measure. If the white man does not consent to this robbery, the negro is equally robbed when passing through the village of the cowedor, and the cowedor pays himself by not giving an account of the goods which he received to attract trade and goes to some other merchants. The Kroboys are immediately sent out on the different trade routes, when he is in a very short time taken and put in irons, and the chief of the village is made responsible for the cowedor and must pay for him; if the chief takes no notice of it, men or women belonging to the same village are tied and made to keep with the cowedor, who is in chains.

The king and chiefs of the village are likewise responsible for the Kroboys of the white man if any of them run away. For the simple reason of the Kroboys having passed through this or that village, although perfectly innocent, the inhabitants of that village are put in chains, as also the inhabitants of other villages through which the fugitive passed, and remain in chains until the Kroman is restituted, and until the villages through which he passed have paid for him.

This is the way affairs are carried on at present on the Congo, and how slaves are procured at a moderate price—proclaiming at the same time that slavery is abolished.

L. DE R. DU VERGE,
United States Consul.

UNITED STATES CONSULATE,
St. Paul de Loando, southwest coast of Africa, July 7, 1883.

LETTER OF LIEUTENANT DRAKE TO MR. LOW.

NAVAL ADVISORY BOARD, OFFICE OF INSPECTOR OF MATERIAL,
January 22, 1884.

DEAR SIR: Knowing the interest which you have in the development of our commercial relations all over the world, I therefore take the liberty of introducing myself as one who has performed an active part in extending these relations by means of surveys within the confines of the Dark Continent.

I was attached to the U. S. S. *Ticonderoga* on her commercial cruise around the world, under the command of the present rear-admiral, R. W. Shufeldt, United States Navy, and while that vessel was on the west coast of Africa I made four expeditions into the interior and mapped out several bodies of water hitherto comparatively unknown. I also wrote up the habits and customs of the numerous tribes adjacent thereto, their alliances, their advancement in the arts and sciences, their manner of traffic, and the products of the soil, together with exports and imports.

Having read in the New York Herald of recent date the action taken by your honorable body, as set forth in a series of resolutions adopted, relative to the future interests and commercial trade of the Congo, and the auspices under which said trade should be conducted, therefore I beg leave to lay before you some of the physical characteristics of this rapidly growing section which have come under my own personal observation during the short time which was allotted to me for ascending this body of water.

In my reconnoissance of the Congo from its mouth to Puerto da Lenha, in 1879, I examined both banks of the river, especially the southern, which is thickly infested with piratical tribes, offshoots of the Musurongos. I found that they respect the rights and privileges of others just as long as they know that an armed force is at hand to administer punishment for offenses committed.

The Manitombes and Sonyos, who live to the southward of the Musurongos, are given to commercial pursuits, and form the nucleus which brings the products of the interior to Quilosango, the solitary Portuguese trading post, 25 miles from the mouth of the river, situated on its south bank.

Friendly tribes occupy the north bank, the chiefs of which furnish the different trading posts with negro help, for which an equivalent is received in so many yards of goods, pounds of powder, etc.

At Quilosango the Portuguese traders, who, by the way, had lived there six years up to the time of my visit, informed me that the lawlessness of the Musurongos between Quilosango and the mouth of the river was a great barrier to lucrative trade with the interior tribes, as the caravans of the latter were frequently set upon and pillaged by the former when returning to their homes from this quarter. Until these pirates are subdued and made to realize the full force of an armed power backing its commercial relations upon this portion of the Congo, just so long will the revenue, which could be realized from the rich districts lying to the southward, be held in check.

At Puerto da Lenha the Dutch, French, English, and Portuguese have large factories established and carry on a thriving trade.

The Dutch, however, are in the ascendency, as they control the navigable portion of the Congo from its mouth to the first rapids above Boma, which arises from the fact that the only line of steamers run upon the river at that time in the interest of trade was the property of the Afrikaansche Handelsvereeniging Company. They exercise a powerful influence over the adjacent tribes through skillful management and frequent dashes to the chiefs.

This influence has undoubtedly grown stronger with the succeeding years, and most probably is still having its effect upon the trade interest of this section.

The following statistics of exports and imports by this company for the year 1879 may be of interest to you (I copy from my journal):

Exports:	
Ivory, 405 tons	$1,620,000
Palm oil, 2,800 tons	2,240,000
Sesamum seed, 2,400 tons	144,000
Ground nuts, 13,200 tons	202,000
Palm kernels, 2,100 tons	105,000
Rubber, 2,600 tons	130,000
Gum copal, 400 tons	300,000
Orcin, 100 tons	15,000
	4,756,000
Imports:	
American cotton piece goods	260,000
English cotton and flannel	690,000
Rum, gin, etc. (Germany)	180,000
Tobacco (American)	72,000
Gum (English)	105,000
Powder (English)	30,000
Brass, rods, rings, etc	75,000
Metal, pots, pans, etc	25,000
	1,437,000

No money is used in this trade, nor is there any money in circulation on the river. The business is conducted entirely upon the barter system.

The percentage on money invested seldom falls short of 300, and frequently runs as high as 400 per cent. The most is made on liquor, and the demand for that article increases from year to year. The bad quality supplied is plainly telling on the negro race, but business can not be successfully transacted on this coast of Africa without this necessary article.

I found also that it will be necessary to make new surveys of the river throughout its navigable waters from its mouth to the first rapids. Several islets have sprung up which are not marked on the latest issue of charts. These and the several changes in the deep-water channel above Banana, as well as the bars at the mouth of the Congo, are the results of scourings from the numerous tributaries and the deposits from the floating islands which pass down the Congo in the latter part of the rainy season.

Upon examination I found these islands to be apparently the result of subsurface scourings, in which the under strata of loam, clay, and gravel are washed out, leaving the body soil held securely intact by a network of the roots of the trees and vines which covered its surface.

One of these islands which I measured had an area of over 6 acres, was thickly wooded, and covered with a luxuriant growth of tropical vegetation, still inhabited with its animal life, floating silently and majestically to sea.

Trusting that your forbearance will overlook this somewhat lengthy document and that it may please you to acknowledge the receipt of the same at your pleasure, I will not weary you longer, but state that I am at present the Government inspector of material for the new cruisers at the Norway Steel and Iron Company's Works, South Boston, Mass. My address is No. 32 E. Brookline street, Boston.

I remain, very truly, your obedient servant,

F. J. DRAKE,
Lieutenant, U. S. N., Inspector of Material.

Hon. SETH LOW,
Mayor of Brooklyn, N. Y.

ARGUMENTS OF SIR TRAVERS TWISS.

[From the Law Magazine and Review, No. CCL—November, 1883.]

AN INTERNATIONAL PROTECTORATE OF THE CONGO RIVER.

The question of the Congo—in other words, the question of the free navigation of the great arterial river of Equatorial Africa—has acquired in the present day an unforeseen importance which was not dreamt of in the last century, when the only value of the river was that its northern bank supplied a famous market and a convenient port of shipment to the African slave dealer. The discoveries, however, of Livingstone and of Stanley have revealed to the world the fact that the Congo is the great channel of water communication between the Atlantic Ocean and the immense basin of Equatorial Africa, and that the cataracts, which have hitherto barred access from the sea to its upper waters, have providentially served to arrest the advance of the white slave dealer into the interior of the continent, and have so far prevented the natives from regarding the white man with merited aversion. English enterprise, however, with good intentions toward the natives, had endeavored in vain, so recently as in 1857, to force a way from the sea by tracking boats through the troubled waters of the rapids, against which the canoe of the native had failed to make any headway, but the Falls of Yellala presented an insuperable obstacle to the farther advance of the boats, and it was not until Mr. Stanley, descending from the interior of Africa, arrived at Boma on the north bank of the river on 8th August, 1877, that it became known that beyond the Falls of Yellala the river was again navigable and was in fact identical with the Lualaba which Livingstone had discovered in the interior of Africa and had partially explored. The consequence of this identification of the Congo with the Lualaba may be said to baffle calculation as regards its bearings upon the future intercourse of Europe with the interior of Africa, and it may be fitly an object of serious consideration on the part of the European governments how best to prevent the inroad of European civilization, which has now become inevitable through the channel of the Congo, from proving itself to be a curse instead of a blessing to the native populations of Central Africa. The white man, it can not be denied, owes some compensation to the posterity of those whom his ancestors of olden time so cruelly wronged by carrying them away from their native country and selling them into slavery in a foreign land, and it would well become the Christian States of Europe and of America to concert amongst themselves measures which should prevent a work of so much promise as that which has been successfully inaugurated by private enterprise from suffering shipwreck through any rivalry or dissensions amongst the white men themselves.

Before the first appearance of Stanley at Boma in 1877 the Congo had already the reputation of being the fourth in magnitude of the African rivers. It has a noble estuary extending from Red Point on the north, which is a little to the south of Kabenda Bay, to Cape Padron on the south, so called from a stone pillar reported to have been set up by Diogo Cam in 1484 to mark the discovery by the Portuguese of a river, then called by the natives "the Zaire." The entrance, however, of the river itself may be said to commence at about 9 miles to the eastward of a line drawn from Red Point to Cape Padron, where the channel is narrowed to 6 miles, between French Point to the north and Shark Point to the south, which latter point is about 6 miles to the eastward of Cape Padron. French Point is the southern termination of a narrow spit of land on the northern side of the estuary about 3 miles long, known as the Banana Peninsula, being the southwestern extremity of an opening leading to Banana Creek and to Pirates Creek, the latter of which creeks is the outlet of a branch of the Congo communicating with the Monpanga Islands. To the eastward of Pirates Creek is Boolambemba

Point, abreast of which the river is narrowed to 3½ miles, and several writers in their account of the entrance of the Congo River have erroneously described this point and Shark Point as the boundary points of its mouth. On the north shore the current of Boolambemba Point is both strong and deep, while along the south shore from Shark Point the soundings are tolerably regular and the anchorage is safe but unhealthy. Boolambemba Point is also known by the name of Fathomless Point, from the circumstance that at the distance of a third of a mile from the land no bottom was found with 93 fathoms of line. It must not, however, be supposed that the fathomless character of the stream in this locality is solely occasioned by the excessive depth of its bed, inasmuch as the river brings down with it such an immense volume of water that in some places no bottom has been found with 200 fathoms of line, and the volume of water shoots out in an unbroken stream into the Atlantic Ocean with a velocity varying from 4 to 8 miles an hour. Further, at the distance of 9 miles seaward its waters are still fresh and at the distance of 40 miles they are only partially mingled with those of the sea, whilst the discoloration of the sea water has been visible 300 miles off. The Congo, it will thus be seen, is a very different river from the Niger, the next great river on the west coast of Africa, which has a delta with 22 mouths. The extreme rise of the river in the rainy season, which begins early in November and continues until the middle of April, is about 9 feet above its ordinary level. The stream during this period is very rapid and carries out to sea floating islands formed of the roots of various kinds of plants and covered with bamboo and grass, and as some of these islands are reported to be more than 100 yards in length, they are a source of danger to ships under way and more especially to ships at anchor. Such are the somewhat inhospitable conditions of the entrance of this mighty river which was formerly frequented almost exclusively by the European slave dealer. The steamship, however, enables the mariner of the present day to overcome the difficulties of the ascent of the Lower Congo which were so formidable to the sailing ship. There are, however, some dangers still attending its navigation which can only be effectively controlled through an international concert among the Christian powers whose subjects frequent the river.

As we ascend the river from Boolambemba Point the northern shore is low and unattractive to the eye until Bull Island comes in sight at the distance of about 11 miles, above which there are several inlets or creeks, hitherto unexplored but studded with villages. After passing these and at about 12 or 13 miles above Bull Island the explorer arrives at Puerto da Lenha, on the northern shore of the river, where the deep-water channel ceases. This was the principal station in former days where the slave ships were brought up, and where the slaves which had been purchased at Boma and had been brought down the river in boats were shipped for the outward voyage. There are Dutch, Portuguese, English, and French factories here established, the great Dutch Company having two factories and having of late enjoyed almost a monopoly of commerce with the natives. The river may be said to be open all the way to Puerto da Lenha, and a fresh sea breeze sets in generally at noon, so that the anchorage is considered the healthiest position on the river. Above Puerto da Lenha the river divides into three branches, which are separated from one another by a number of islands, the northernmost branch being named the Maxwell River or the Noangwa, the middle branch being the Mamballa River or the Nsibul, which is the most direct route to Boma, while the southernmost channel is known as the Sonho, and is winding and intricate, but it has the greatest depth of water and has a soft sandy bottom, so that a vessel grounding on it suffers little inconvenience beyond waiting for the return of the high tide to float her off again. At last the explorer reaches Boma, about 31 miles above Puerto da Lenha. Here is said to have been formerly the greatest slave market in the world. The town extends several miles along the bank of the river, and it is delightfully situated in the midst of a picturesque and mountainous country. It enjoys a dry and healthful atmosphere, and is destined, we may hope, to become a central entrepôt of innocent trade between Europe and the interior of southwest Africa. Here was formerly the utmost limit to the navigation of the Lower Congo before the steamers under the flag of the Association Internationale Africaine were launched upon its waters. They are able to breast effectively the current, which increases in swiftness above Boma, and can ascend as far as Vivi, the first station established by Stanley on behalf of the Comité d'Etudes du Haut Congo. Vivi may thus be regarded as the portal of a new country which the researches of Stanley have thrown open to the European traveler, who is sure to be followed by the merchant, and the question will of necessity arise as to what law shall be binding on the European merchant who frequents the river and to what jurisdiction he shall be amenable if he disobeys that law. A difficulty on this subject has already arisen on the Lower Congo, where it may be justly said that each man sets law unto himself, for no European Government exercises an

acknowledged jurisdiction over the river or its banks, and when crimes have been committed the extemporized judges have had to take upon themselves also the duty of executioners, and the sense of their own weakness has led them in the interest of self-preservation to have recourse sometimes to measures of severity which a constituted authority might not think it necessary to adopt. Vivi, the first station established by Mr. Stanley, in 1879, is at the distance of about 115 miles from the sea, and it would seem that already, within three years since it has been founded, some dozen trading stations have been opened between it and Boma. Above Vivi the river makes a turn to the north, and in following it we arrive at the Falls of Yellala, where the river ceases to be navigable and continues so for about 50 miles, as far as the Cataract of Isanghila, where Stanley has established a second station, which is connected with Vivi by a road overland. Above Isanghila the river becomes again navigable for a distance of about 80 miles, at the termination of which Stanley has built a third station and named it Manyanga. Here the traveler must again leave the river and proceed by land to Stanley Pool, to which station Stanley has constructed a road practicable for caravans. Up to this point the Comité d'Etudes du Haut Congo has established its stations upon the right or northern bank of the river, but when Stanley in ascending the river in 1881 arrived at Stanley Pool he found that M. de Brazza, who had ascended the Ogôné River from the French possessions on the Atlantic coast some degrees to the north of the Congo, after having worked his way through an unknown country during a journey of about eighteen months, had struck the Congo at Stanley Pool. Further it appeared that M. de Brazza had concluded a treaty with an agent of Makoko, king of the Batikès of the Congo, under which the latter had ceded to him the territory on the northern shore of the lake for the establishment of a French station. Mr. Stanley accordingly crossed over to the southern shore, on which, in pursuance of an agreement with all the neighboring chiefs, he has built a fourth station and called it Léopoldville. It would seem from the text of M. de Brazza's convention, of which a facsimile has been published by the Société de Geographie in Paris as an accompaniment to M. de Brazza's narrative of his expedition, that King Makoko, whose death has recently been reported, claimed to exercise a kind of suzerainty over the chiefs who were in possession of the north shore of Stanley Pool, and that two of them gave their adhesion to and were witnesses to the convention above mentioned by subscribing their marks to it.[1]

Early in the next following year Stanley established a fifth station at Ibaka, at the confluence of the Quango with the Congo, at the distance of about 100 miles above Léopoldville, from which place the Congo had become once more navigable, and has hitherto been found to be free from all physical obstructions. It would thus appear that the Congo River, as now revealed to us by the researches of Stanley, may be regarded as divisible into three well-distinguished portions: The Lower Congo, extending from the sea to the Falls of Yellala; this portion is throughout navigable by steamers of light draft, and, as a matter of fact, two steamers, owned by the Association Internationale Africaine, and named, respectively, the *Belgique* and the *Espérance*, are at the present time regularly running between Banana and Vivi. The Middle Congo may be said to extend from the Falls of Yellala to Stanley Pool, and upon a portion of this, namely, between Isanghila and Manyanga, the steamer *Royal*, owned by the same association now plies. The Upper Congo, on the other hand, leads from the waters of Stanley Pool into the center of the African continent, and upon this portion of the river a steamer was launched on 3d December, 1881, under the auspicious name of *Forward* (En avant). It is computed that this vessel will have an open course before it of 940 miles leading into the very center of the African continent. Stanley's fifth station has been established at Ibaka, where the waters of the Quango join those of the Congo. I have mentioned these five leading stations as being those which Stanley had established in the course of 1881 and 1882, since which time, however, various auxiliary stations have been formed Lutété, for instance, and Ngoma, between Manyanga and Léopoldville, and both of these new stations are in very fertile districts. Kimpopo, also a new station, established at the northern end of Stanley Pool, is in a food district much richer than that which was selected for the parent station of Léopoldville. Msuata is a fourth auxiliary station established a little to the south of the point where the Quango joins the Congo. A sixth station may also be mentioned, which is a main station on the Congo and is named Bolobo, about a hundred miles above Ibaka. Other stations have probably

[1] The concluding words of the convention are as follows: Par l'envoi à Makoko de ce document, fait en triple et revêtu de ma signature et du signe des chefs, ses vassaux, je donne á Makoko acte de ma prise de possession de cette partie de son territoire pour l'établissement d'une station francaise.

been established before the present time. The number of those which I have mentioned will serve to show how rapid has been already the advance of the European into the interior of Africa in the footsteps of Stanley, and how desirable it will be to maintain the novel conditions of peaceful intercourse, under which the white man has found a welcome amongst the various native tribes.

M. Emile de Laveleye, the distinguished economist and jurist, has suggested in an article in La Revue de Droit International, that the river Congo shall be neutralized, or that at least the stations founded upon it by the joint enterprise of the "Association Internationale Africaine," and the Comité d'Etudes du Haut Congo, should by a common accord of nations be recognized as neutral territory in the general interests of civilization and of humanity. The alternative proposals thus advocated by so eminent an authority are by no means of equal import, inasmuch as the neutralization of the Lower Congo in the acceptation of the term "neutralization," as applied in modern days to inland waters in distinction from the high sea, would operate to prohibit access to the river within its headlands to the armed vessels of every state. But such a prohibition, it is to be feared, would, in its results, prove to be an encouragement to the piratical tribes at the mouth of the river.

So recently as in 1875 the British commodore, Sir William Hewett, had occasion to land a party of marines at the mouth of the Congo, and to punish the authors of the destruction of the English ship *Geraldine* and of the massacre of her crew; and in the sailing directions for the west coast of Africa, published by order of the lords commissioners of the admiralty of England, there is inserted the following caution: "The Missolonges, a tribe inhabiting the creeks about Boolambemba and Bull Island, are very savage, and frequently attack merchant vessels and boats proceeding up the river without an escort. Their object is plunder, but they do not hesitate to commit murder if opposed. Vessels, therefore, proceeding to Puerto da Lenha should, if possible, obtain the protection of armed boats from any men-of-war in the vicinity." Further, it must be borne in mind that the slave trade was kept up on the banks of the river as late as 1875, when an English expedition dealt the slave-dealing tribes what is to be hoped may prove to be a deathblow to their trade.

On the other hand, from "The correspondence respecting the territory on the west coast of Africa, lying between 5° 12′ and 8° of south latitude, presented to the British Parliament in the course of the present year" (Africa, No. 2, 1883), it appears that the trading factories on the north bank of the Congo, with the exception of the English, are more or less worked by slave labor; and the British consul at Loanda reported to the Earl of Derby that all the houses on the Congo hold slaves, more or less, and would not hesitate to export them if they could find a market for them. If it be assumed that "public opinion" on the Congo has improved since 1877 with regard to the mode in which the European trader looks upon the native, it can hardly be doubted that what is wanted at the present time is not the exclusion of the armed ships of all nations from the waters of the Congo, but rather the continual presence of an armed ship of one or other of the nations, whose subjects have factories on its banks, whose commander should be authorized to maintain an international police over the river, in virtue of the admiralty jurisdiction exercisable by all nations over waters which are within the flux and reflux of the tide.

It has been further suggested by more than one eminent authority that if the proposal to neutralize the water of the Congo should prove to be inadmissible in the opinion of European governments an international control over its waters might be established analogous to that which the great powers have concerted in respect of the mouths of the Danube. Portugal, however, might be disposed to object to the institution of an international commission for that purpose, as being a derogation from her asserted rights of sovereignty over the river and its headlands; but even if Portugal were to agree to the establishment of such an international commission it would not be by itself adequate to satisfy the present requirements, and much less the future requirements of the Congo River. A dispatch of Consul Hopkins, addressed in 1877 to the Earl of Derby, then Her Majesty's secretary of state for foreign affairs, concludes with the following statement:

"All the white men in the tract of country lying between the northern boundary of Angola and the southern boundary of the Gaboon consider there is no law; they are not responsible to any government for their actions, and they do just what they please." This dispatch is dated from Loanda, the capital of Angola, and the residence of the governor-general of the Portuguese settlements on the west coast of Africa to the south of the Congo. (Parliamentary Paper, Africa, No. 2, 1883, p. 81.)

I have alluded to certain rights of sovereignty which Portugal has asserted over the Congo River and its headlands, and that her pretensions to such sovereignty might create on her part an indisposition to assent to the establishment of an inter-

national riverain commission over the Congo, analogous to that which the European powers have concerted in the case of the Danube. England, however, has strenuously contested and opposed the pretensions of Portugal to any such sovereignty, nor can it be successfully contended that England has recognized any such rights of sovereignty under the treaty of alliance between England and Portugal, concluded at Rio de Janeiro on 9th February, 1810, nor under the treaty for the abolition of slavery signed at Vienna on 22d January, 1815, nor in the additional convention of July, 1817, although eminent Portuguese authorities have contended for such an interpretation of those treaties. It may be admitted, indeed, that Portugal under those treaties has recorded her pretentions to the territories of Kabenda and Malemba to the north of the Congo, but, on the other hand, she has placed on record the fact that those territories were at that time not in the occupation of the Portuguese Crown. But it is hardly reasonable for Portugal to insist in the present day upon rights of sovereignty over the river Congo in virtue of priority of discovery four centuries ago, when she has virtually renounced all rights of sovereignty north of Cape Padron under a declaration annexed to the treaty of Tardo, or as it is more usually termed the treaty of Madrid of 1786, concluded under the mediation of Spain between France and Portugal. That declaration placed on record the fact that Portugal limited, at that time her assertion of rights of sovereignty to the territory south of the river Zaire, whilst she acknowledged the right of France, equally with Holland and Great Britain, to trade freely with the coast north of that river. It is worthy of note that in that declaration the right of France to trade with the people of the coast to the north of the Congo is contrasted with the liberty to trade with the people of the coast as far south as Ambriz and Massaula, if such liberty was enjoyed by the English and the Dutch. It should be borne in mind by any person who may peruse this treaty, of which the text is set out in Martens's "Recueil des Traités," vol. iv, p. 104, that the river is there described by its native name of Zaire, and that the term "Congo" is used to signify the territory to the south of the river. This remark may serve to explain a passage in the treaty which is at first sight obscure and has embarrassed several persons, where it speaks of the country "east-northeast of Congo." I do not propose on this occasion to enter into any discussion of the claims of Portugal to sovereignty over the coast to the south of the river Zaire. England has formally put on record, in 1846, her objection to that claim, and has refused to recognize any right of absolute dominion on the part of Portugal over the coast to the north of the port of Ambriz, which is situated in 7° 52′ south latitude. My object in alluding to the controversy which exists at the present time as to the pretentions of Portugal to exercise rights of sovereignty over the coast of West Africa to the northward of Ambriz has been by no means to disparage her pretensions, but rather to show that they may give rise to diplomatic difficulties on her part, if the European powers, whose subjects are interested in the navigation of the Congo, should be disposed to concert an international protectorate of the river.

On the other hand, the claims of Portugal to a kind of suzerainty over the south bank of the Lower Congo rest upon other considerations than the discovery of the mouth of the river by Diogo Cam in 1484. Portugal appears to have exercised from time to time a protectorate over the "Mani-Congo" or King of Congo, and latterly to have clothed her protectorate with the character of suzerainty, by exacting from the King at the time of his accession an act of homage and an oath of fealty to the Crown of Portugal. It has been contended also that the suzerainty extends at the present time over the chiefs of Kabenda and Malemba on the coast to the north of the Congo River by reason of those chiefs having paid tribute to the King of Congo when he was independent of Portugal. On the other hand, it may be said that when the King of Congo acknowledged himself to be a vassal of the Crown of Portugal,[1] he simply placed his own territory under the suzerainty of the Crown of Portugal, and by abdicating his independence forfeited his own claim of suzerainty over any neighboring chiefs who would not become the vassals of the Portuguese Crown unless they also in their turn did homage and took the oath of fealty to it. Besides, there is no doubt that if Portugal is entitled to regard the King of Congo as her vassal, his ancestors became vassals of the Crown of Portugal long prior to the treaty of Madrid of 1786; but Portugal in that treaty made no claim of suzerainty over Kabenda and Malemba, when she recognized the right of France and England and Holland to trade freely with the people of the coast north of the Congo River.

The question of an international protectorate would be much simplified if Por-

[1] Alfonso I, the first Christian ruler of Congo, is said to have recognized the King of Portugal as suzerain by letter in 1512, but the same King had previously recognized Pope Paul III as his lord and suzerain in 1500.

tugal should be disposed to confine her pretensions to rights of suzerainty over the territory immediately subject in former days to the King of Congo, as such a right of suzerainty would not conflict with the treaties for the suppression of the slave trade, which England has concluded with the Chief of Kabenda and with the various chiefs and headmen of the Congo River at intervals between 1854 and 1876.[1] If Portugal exercised at such time a direct sovereignty over both banks of the river those treaties would be waste paper, but their validity would not be impeached by England's recognition of Portugal's suzerainty over Congo proper. What seems to be desirable under present circumstances is, that the European states whose subjects have factories on the banks of the Congo should establish by a common concert an international protectorate of the Lower Congo. Ever since the congress of Vienna of 1815 proclaimed the liberty of the navigation of the great arterial rivers of Europe, and at the same time condemned the African slave trade to a slow but certain extinction, Europe has hesitated, wisely it may be said, to apply to the great arterial rivers of Africa the same principle of public law which she has successfully applied to the Rhine and to the Danube until the slave trade has become extinct. The time has now arrived when Europe may feel called upon to engraft the same principles of public law upon the institutions of a sister continent as may have been found to work well in Europe. It may be necessary, however, to supplement them with certain further provisions which the circumstances of the Congo River render imperative. The organization of the native races on the banks of the Congo is still tribal, and territorial sovereignty in the sense in which it has superseded personal sovereignty in Europe is still unknown. Personal sovereignty, however, is recognized by the European traders on the Congo, and each factory hoists the flag of the nation from which the trader holds himself to be entitled to claim protection if he should be wronged by a native chief or by a trader of another European nationality. We have here, then, an element of order, and it deserves the careful consideration of the European governments whether they should not take advantage of it before disorder becomes rampant amongst the crowds who are sure to throng before long in the interests of commerce the channel which leads into the heart of central Africa. If certain powers should agree as to the establishment of an international commission of the Congo River, after the example of the commission of the Danube, they might invite the other powers to accede to it, and they might safely advance a step further. Personal sovereignty, if effectively brought into play, would be an obvious remedy for the state of "wrong and unlaw" which exists at present on the Lower Congo. The same states, which are disposed to consent to an international riverain commission, may come to a further understanding that each state shall authorize its commissioner to exercise consular jurisdiction on its behalf over the subjects of the state which he represents. The delivery of an exequatur would not be a necessary condition for such consuls to take upon themselves the exercise of their jurisdiction over their fellow subjects, inasmuch as the raison d'être of an exequatur would not exist where there has been no recognition of a territorial sovereign, and the judge consul is an institution of an age when the theory of territorial sovereignty had not as yet superseded in Europe that of personal sovereignty.

The international organization of the Middle and the Upper Congo is a more difficult problem, inasmuch as the materials for such an organization, which are ready at hand on the Lower Congo, do not at present exist after you ascend the river above the Falls of Yellala, although France has already evinced an interest in the question by acquiring a grant of land on the northern shore of Stanley Pool for the establishment of a French station. We can not but hope that the friends of the Comité d'Études du Haut Congo have suffered unnecessary alarm at the hoisting of the French flag over the station of Brazzaville. The same flag floats over the French factories on the Banana Peninsula and at Boma on the Lower Congo, and there are no words in the convention of 3d October, 1880,[2] between M. Savorg-

[1] So recently as in March, 1876, Great Britain has concluded treaties with the principal chiefs holding authority on the south bank of the Congo River for the abolition of the traffic in slaves; for the prevention of human sacrifices; for the encouragement of lawful commerce; for the protection of all white traders, more particularly British; and for the punishment of all pirates and disturbers of the peace and good order of the river. (Appendix to Parliamentary Paper, Africa, No. 2, 1883.)

[2] This convention is distinguishable from an earlier convention which purports to have been concluded on September 10, 1880, between M. de Brazza and King Makoko at Ndao, under which King Makoko has ratified a cession of territory on the Lefini made by [a chief named] Ngampey for the establishment of a French factory, and has ceded to France his hereditary rights of supremacy over it. Both conventions are printed in the French Journal Officiel of 3d December, 1882.

nan de Brazza, on the one part, and King Makoko, suzerain of the Batakés, and his chiefs, on the other part, which imply anything more than the cession to M. de Brazza of the usufruct of the territory which extends from the river of Ina to Impila for the establishment of a French station at Ncouna. However this may be, the question as to what law the European merchants who may frequent the upper waters of the Congo, and who may establish trading factories here and there on its banks, shall consider themselves to owe obedience, and to what magistrates they shall be responsible, awaits solution. It would be well indeed if the powers who may agree to establish an international commission on the Lower Congo and to empower their respective commissioners to exercise consular jurisdiction over their fellow-citizens on the lower waters should extend the personal jurisdiction of their consuls over their fellow-citizens on the upper waters. Still further, it would be much to be desired if the same powers should at the commencement of their deliberations agree to draw up and sign a declaration of disinterestedness as regards the upper waters of the Congo. The signature of such a declaration was adopted for the first time as a preliminary to an international accord in the protocol to the triple treaty of London of July 6, 1827, when Russia, France, and Great Britain entered into an alliance to bring about the independence of Greece. It has been frequently adopted since that time by the European powers as a preliminary to their conferences for the settlement of political difficulties in Asia and in northern Africa. The experience of half a century may thus be invoked in favor of such an international act, which at the present moment would allay all apprehension of a coming struggle amongst the European nationalities for the control of nature's highway into central Africa. The authority of a suzerain power is not requisite to give validity to such an arrangement amongst the Christian powers. It would be an international accord worthy indeed of the civilization of our epoch, and might arrest at once the further growth of any nascent difficulty.

TRAVERS TWISS.

TEMPLE, *16 August, 1883.*

POSTSCRIPT.—A few other observations may not be out of place in explanation of the term "international protectorate," which I have adopted as descriptive of the functions of the international commission which it may be advisable for the powers interested in the navigation of the Congo River to establish by a common concert amongst themselves, and to which the other powers may be invited to accede. The term "protectorate" is a term of very varied import, and it has fallen somewhat into disrepute of late from its employment in treaties where the protecting power has had in view the establishment of a "veiled sovereignty" over another state. Protectorates of this class are in the nature of unequal alliances cum diminutione imperii, and the protected state in such cases, if it has agreed to hold intercourse with other states only through the medium of the protecting power, has become virtually a dependency of such power, although it may not have contemplated such a result when it entered into treaty engagements with it.

It is obvious, however, that there is no analogy between such protectorates and the international protectorate which it is proposed to establish in the case of the Congo River. It is in the nature of things that an international protectorate, in which several powers are associated on terms of equality, can not have in view any scheme of "veiled sovereignty" on the part of one state over another state, although in the case of the Congo River it may have in view the exercise of a common authority on the part of the protecting powers in the interest of the peace of the river, analogous to that which all nations in common exercise over the high seas in the interest of their peaceable navigation. The highway of nations is in fact under the common protection of all the maritime powers, and it is in this sense of the term "protection" that it is desirable that the phrase "international protectorate" should find a place in the vocabulary of international jurisprudence, as signifying in the case of a great arterial river that its navigation is under the common protection of the powers whose subjects have establishments on its banks. Such a protectorate being in the interest of all the states whose subjects may make use of the waters of the river, will on that ground have just claims to general recognition, nor will it be open to the suspicion which attaches deservedly to single state protectorates.

In regard to the neutralization of the Lower Congo, which is the only portion of the river directly accessible to seagoing vessels, the term "neutralization" has also become a term of ambiguous import in consequence of its application to the waters of the Black Sea, under the provisions of the treaty of Paris of 1856. The exigencies of diplomacy on that occasion may have warranted a strained interpretation of the word "neutralization" in the sense of prohibiting the use of the waters of the Black Sea to the armed ships of every nation, even in time of peace. It would be very desirable if henceforth the phrase "neutral waters" should be

exclusively used to denote waters in which no act of belligerency is permissible. Further, it has been well said by M. Moynier, the president of the Red Cross Association, in a memoir read by him before the Institute of International Law during its last session, at Munich: "On a beaucoup parlé de neutraliser le Congo, mais en réalité l'état de choses, que l'on caractérise en droit international par le mot 'neutralité,' n'est nullement ce à quoi l'on aspire. Cette expression n'a de sens que par antithèse, et là, où il n'y a pas de belligérants, il n'y a pas neutres. Or, on envisage ici l'état de paix." At the same time it can not well be denied that it would be very desirable that the powers who may agree upon the establishment of an international commission for the Congo River should agree, in accordance with the precedent submitted by Earl Granville to the acceptance of the European powers in the case of the Suez Canal (Parliamentary Paper, Egypt, No. 2, 1883), that no hostilities should at any time take place in the Congo River nor in its approaches. The Institute of International Law, before which the question of the Congo came under discussion at its last session above referred to, was unwilling to pronounce categorically an opinion on all the conclusions presented to it. The Institute, however, resolved to authorize its bureau to transmit to the different powers the expression of its wish, that the principle of the freedom of its navigation for all nations should be applied to the Congo River and its affluents, and that all the powers should come to an understanding as to the measures proper to prevent conflicts between civilized nations in equatorial Africa."[1]

T. T.

6TH OCTOBER, 1883.

[From the Revue de Droit International.]

THE FREE NAVIGATION OF THE CONGO.

BY SIR TRAVERS TWISS.

The Congress of Vienna inaugurated a new era in the reciprocal relations of European states, by laying down the principle that these relations should be subordinated to the interests of the European community in case of conflict between the individual interests of the states and that which is just in an international point of view. It is a fact, which is apparent to every attentive observer of the great political evolutions of our century, that it is more and more perceived that the community of nations create obligations toward it, and that the empire of this community over the states which form part of it has several times obtained formal sanction by means of conferences, whose protocols point out to us the considerations which dominated their counsels. These protocols form declarations, of which all the participants are the sureties. We are proud of modern civilization. We congratulate ourselves upon the progress of international law among civilized nations. We are, therefore, justified, it seems to me, in asking of the states which participate in the European concert of public law, whether it would not be possible to assert this principle of duty toward the community of states as a means of solving the question of the Congo, without awaiting the stern necessity of intervening to put an end to war, or, at least, the occasion of offering mediation to avert a recourse to the sad arbitrament of the sword. The Congo question is in the condition of a young tropical plant whose germ has not yet commenced to develop, but which will perhaps assume suddenly unexpected proportions.

I have already treated of the free navigation of the Lower Congo, but I have omitted or at least only glanced at the idea of an international protectorate, under the ægis of which a modus vivendi could be established upon a solid basis of stipulated right among the diverse nationalities whose flags float over the factories of Banana Creek, at the entrance of the Congo, and thus proclaim the cosmopolitan character of the settlement. Ascending the channel of the river, Punto da Lenha is reached, where a pentarchy, so to say, of European flags equally affirms the cosmopolitan character of the port and gives notification that the individual interests which prevail there rest under the protection of five States. Formerly a common end, the slave trade, was the only bond which united those diverse nationalities in a kind of commercial fraternity. To-day there exists between them a law of usage intended to regulate their common interests, but this usage leaves

[1] "L'Institut de Droit International exprime le vœu que le principe de la liberté de navigation pour toutes les nations soit appliqué au fleuve de Congo et à ses affluents, et que toutes les puissances s'entendent sur des mesures propres à prévenir les conflits entre nations civilisées dans l'Afrique Équatoriale."

much to be desired, and it does not control the private life of the residents of each factory, who are free to regulate according to their own pleasure their relations with the natives. In fact, there does not exist social order, properly so called, among the factories. There is no collective will among their members, no authority which they are bound to obey, and one may say, "Ubi nulla societas, ibi nullum jus." The sad truth of this axiom is confirmed by the stories of frightful cruelties committed upon the natives in the year 1877, an account of which can be found in the dispatches of the English consuls to their Government. (Parliamentary Papers, Africa, No. 2, 1883.)

M. Moynier, president of the international committee of the Red Cross, at Geneva, called the attention of the Institute of International Law, during its last session at Munich, to the question of the Congo, and the readers of the Review will remember the proposition which M. Emile de Laveleye developed thereupon (pp. 254-262), asking in the interests of humanity that the waters of the Congo should be neutralized by European action. M. Moynier had already treated of this subject at the institute in Paris, in September, 1878, but it was not expected at that time that the majestic course of waters explored by Stanley in 1877 would soon become the object of dangerous rivalries. The result has proved that the whites who have formed many stations upon the Upper Congo and its affluents have already run the risk of being engaged in competitions which may disturb the good feeling between the newcomers and the natives, to whom European civilization should bring only benefits. The arrival at Stanley Pool of a French expedition which, having ascended the channel of the River Ogouve from the affluents of the Congo, has introduced upon the banks of the Upper Congo the representative of a European Government, who has taken possession in the name of France of a territory ceded by the native chiefs of the country.

It is evident from the very nature of things that the question of the Congo may properly be divided into two parts, for the Lower Congo is already subjected to an order of things entirely exceptional, in which five European nations participate. This condition of affairs was based originally upon a common traffic in slaves, to which has succeeded a legitimate trade with the natives—a commerce in which the European nations take part in a perfectly independent manner, each for itself. In spite of that there is on the Lower Congo, because of these nationalities, a certain solidarity of interest which counsels a common accord upon the subject of the navigation and the police of the river. But, as I have before said, as far as regards criminal jurisdiction the whites of each factory regard themselves as independent, and as not responsible to any Government whatsoever.

The Upper Congo, on the contrary, bathes the territories of many native tribes. Their chiefs have granted stations to the agents of the International Association which depend upon no European sovereign, but which are modeled upon certain institutions of the Middle Ages, to enable the population of barbarous Africa to participate in the advantages of European civilization. All the stations which this association possesses have been acquired peaceably by treaties with sovereign chiefs of the country. It governs them by intelligent men belonging to all European nationalities. And, moreover, it has hoisted over these stations a flag which signifies that they belong to no especial nation, but that they form part of an international association founded in the interests of the natives, and which represents all countries interested in the progress of humanity. A single European nation has entered this humanitarian arena, and that is the French Republic, which, in accepting, as a European State, the cession of territory made to Mr. Savorgnan De Brazza, has notified the civilized world that France has not sought to put private interests in opposition to the general interests of civilization, represented in Africa by a flag, the principal merit of which is precisely that of not being the flag of any one power. (See report presented by the Government of the Republic to the Chamber of Deputies, 20th November, 1882.)

"Neither in the spirit of your Commission (it is there said) nor in the views of the Government is there any purpose at this moment to go upon the banks of the Congo, or upon the neighboring shores, with military array, but simply to found scientific, hospitable, and commercial stations, without other military force than may be strictly necessary for the protection of the establishments successively created."

Unfortunately the appearance of a European national flag upon the banks of Stanley Pool raised the question whether the agent of an association which had not the political character of a State could, by a cession of the actual sovereign of the country, acquire and exercise the sovereignty of a territory situated outside of Europe. I say outside of Europe, because we do not seek to find the solution of such a problem, as affecting Africa or Asia, in the existing political condition of affairs in Europe, nor in the fixed regulations of European society, upon which that condition of things rests, but in the unwritten law of nations, which should

regulate the relations between free peoples, no matter to what family they belong nor what religion they profess. Yet the practice of Europe, while Christianity was seeking to accomplish the high mission of civilizing the barbarous races on the northern and eastern frontiers, merits our attention, because of a certain analogy between the condition of those frontiers in the eleventh century and the present condition of equatorial Africa.

In order, therefore, to appreciate the action of the International African Association, and to fathom the question whether this action is without precedent in the action of European peoples, it will be profitable, in the first place, to study the archives of a period when Europe was not entirely Christian, and when Christianity made a propaganda among the native pagan tribes who at that time inhabited a part of the country which we now call Prussia. This study will bring to our knowledge the action of an international association which accomplished the civilization of a country inhabited by people who might be called savages, and, at the same time, will furnish a refutation of the assertion put forth by certain publicists that states alone can exercise the rights of sovereignty.

M. de Laveleye, before cited, has made allusion to the Teutonic Order as an institution for the propagation of civilization, which, in the Middle Ages, carried civilization to the populations on the borders of the Baltic and cemented them to the rest of Europe. The action of this famous order in regard to the acquisition of the sovereignty of a barbarous country has an important analogy to the action of the International African Association.

Thus this order was originally a charitable association of Germans which the citizens of the free cities of Bremen and Lubeck instituted at the siege of St. Jean d'Acre, during the Fourth Crusade. Afterwards, this association constituted itself into an order of chivalry towards the end of the twelfth century, and, after the religious enthusiasm to which the Crusades had given birth had ceased to inflame the nations of Southern Europe, the order established itself at Culm, in the country which is now called Western Prussia, where Conrad, Duke of Massovie, of the Polish dynasty of the Piasts, ceded to it a territory and assured to it the conquests it might make over the idolatrous Prussians. The order by gradual steps established its dominion with Christianity over the whole of Prussia. The city of Konigsberg, upon the Pregel, was built by it in 1255, and the city of Marienbourg, upon the Nougat, which became afterwards the capital of the order, dates its foundation back to the year 1276.[1]

Another order, that of the Chevalier's Sword-Bearers (Ensiferri), was established in Livonia, where, finding itself too weak to sustain the attacks of the pagans, it ended by uniting itself to the Teutonic Order. This union rendered the Teutonic Order so powerful it was able to establish its authority over the whole of Prussia, Courland and Senegal, and, from the annalists of that time we learn that in converting the people to Christianity the Teutonic Order subjected them to an exceedingly hard yoke. The Teutonic Order maintained itself in the sovereignty of this country until the middle of the fifteenth century, when it was subjected to great territorial losses in a war against Poland, and was compelled to become the vassal of the King of Poland for Oriental Prussia. It is upon the embers of this order that the Prussian monarchy was established by the courage of the descendants of Duke Albert of Brandenbourg, grand master of the order, the first duke of Prussia.

It is to be observed that, during all this time that this order was sovereign, it was not recognized as a state, and that the master of Livonia was not admitted to a sitting and vote among the states of the German Empire until after this order had ceased to be sovereign.

The city of Dantzic was for two centuries, up to 1454, the maritime capital of the order, and it may be said that the Teutonic Order was the supreme power during two centuries on the shores of the Eastern Baltic without being organized as a state.[2]

On the other hand, in the south of Europe there was an order of chivalry whose services to civilization in defending Christian countries against the invasions of the Arabs and the Turks are more famous even than those of the Teutonic Order. I refer to the sovereign Order of St. John of Jerusalem. This order, originally founded for the service of the hospital of St. John at Jerusalem, quitted the holy

[1] The Schloss-Hauptmann of the Castle of Marienbourg, formerly the palace of the grand master of the order, is now appointed by the King of Prussia.

[2] The old Teutonic Order was suppressed in the year 1809 at the peace of Luneville, when the grand master of the order was secularized for the archduke to be chosen by the Emperor. It may be said of the Teutonic Order that it was renewed in 1834 and reorganized in 1840 and 1865, but that it is the shadow of a great glory—magni stat nominis umbra.

city at the commencement of the fourteenth century and established itself in the island of Rhodes to defend the frontiers of Christianity against the attacks of the Saracens. Then it had to give up the island of Rhodes to the Turks, and it established itself in the island of Malta, of which it obtained the territorial sovereignty as a gift from the Emperor, Charles V, in 1530. Even this order adopted a territorial title, that of the Order of Chevaliers of Malta, and maintained its sovereignty over this island until the year 1798. The English having soon after become masters of the island by conquest from the French it was proposed by the congress of Amiens the 27th March, 1802, to restore the fortress of Malta to the Order of St. John, and to put the independence of the island under the guarantee of the powers uniting in that congress. This project failed. At the congress of Vienna, in 1815, the Order of Malta demanded to be provided with another sovereign establishment in the Mediterranean suitable for the institution of the order, and that its independence and neutrality should be guaranteed by all the powers. The congress would not listen to this demand.

I have cited these two examples to show that according to the law of usage of Europe associations which are not organized as states can, nevertheless, exercise sovereign rights. But it may be said that these orders of chivalry were privileged orders, and that they belong to an epoch when Christian civilization was propagated at the sword's point. Putting aside then the military epoch of the civilizing propaganda let us pass to the commercial era inaugurated by the discoveries of Christopher Columbus and Vasco de Gama. The theory of publicists which we have to examine is this, that a private association can not exercise sovereign rights in a barbarous country. A learned collaborateur of the Revue de Geographie, of Paris, has formulated it in these terms: "It is a principle of law that states alone can exercise sovereign rights; that no private company can have them."[1] It is evident that this proposition is affirmed by M. Delavand in too absolute a manner for the facts of history contradict it. Among the members who formed the great Union of the United States of North America there were at least four which owed their origin to private associations, whose territorial sovereignty had been established before they received any charter of incorporation from the Crown of England. Everybody knows that a commercial company acquired by treaties with the natives the sovereignty of the English Indies. A similar Dutch company acquired and exercised sovereign rights in the island of Java and in the Malaccas. Should there be a different rule in Africa from that which has prevailed in America and Asia? Or should there be, for the young republics of the nineteenth century, a law of nations directly opposed to that which presided at the foundation of the independent States on the shores of North America—States whose federation gave birth to the parent republic of our age? I do not think so. Doubtless the national law of a country may prohibit its citizens from accepting the sovereignty of a barbarous country, but the international question must not be confounded with the question of national law, in regard to which we may say, "Extra territorium jus dicenti impune non paretur."

Will it be said that these ideas are superannuated—that they do not belong to our age? I will reply by a very recent example which has been the subject of discussion between the Governments of Spain, the Netherlands, and Great Britain. It is known that certain native chiefs on the northern coast of the island of Borneo delegated to a European, a private individual, rights implying the exercise of territorial sovereignty; that the person to whom the chiefs of the country had delegated supreme power, under the title of maharaja, ceded his rights to a private company, and that that company obtained from the English Crown a charter of incorporation. It may be said that the history of the propagation of civilization in the seventeenth century in America is renewed in Asia and Africa in the nineteenth century. The English Government regarded this delegation of sovereign rights by native chiefs, in return for an annual subsidy, as a sufficient title to enable the company to exercise these powers, and sustained this proposition before the House of Commons. In reply to a question in regard to the granting of the charter of incorporation, Sir Henry James, attorney-general, said:

"The rights which have been accorded the company have become legally its property, and it would have been an act of confiscation if the Government of Her Majesty had attempted to deprive it of them."

And the prime minister, Mr. Gladstone, also affirmed that the charter had not granted to the company any power to exercise rights implying sovereignty which it had not already acquired by delegation from native chiefs. A correspondent of the Revue de Géographie of Paris has specified these rights according to the con-

[1] Vol. XII of the review above cited, p. 224.

tents of the act of delegation.[1] It is not doubtful that in virtue of this act the company, without being a State, can exercise sovereign rights over a considerable territory in the northern part of the island of Borneo. M. E. De Laveleye, before cited, says that Germany, formally consulted by the British Government in 1882, did not question the capacity of private individuals or of companies to obtain from noncivilized sovereigns the concession of rights implying the exercise of rights of sovereignty. The Government of the Netherlands and of Spain did not deny such power, but they claimed to have anterior rights over the northern portion of Borneo; and it was in virtue of those anterior rights that they protested against the rights claimed by the British North Borneo Company. It is, therefore, evident that the obstacles which the establishment of stations by the International Association upon the Upper Congo might meet with from European powers are not to be found in the fact that they are in contravention of any law of nations by virtue of which States alone can exercise sovereign rights, but solely in the fact that Portugal pretends, by reason of anterior rights, to deny the capacity of the native chiefs of the country to cede the sovereignty of a part of their territories without the consent of Portugal.

It appears, in the meantime, that the British Government did not yield to the pretensions raised by Holland and Spain concerning the northern part of the island of Borneo, and that the Government of the French Republic, in spite of the pretensions of Portugal, has recognized the supremacy of a native king upon the Upper Congo, and has accepted the cession of his hereditary rights. This treaty, concluded by M. Savorgnan de Brazza, as the representative of France, at Neousa, the 30th October, 1880, ceded to France a territory which was in the possession of certain chiefs, vassals of the King Makoko; and said chiefs signed the treaty, while the King Makoko, in his capacity as suzerain of these chiefs, ceded to France, by an act invested with his mark, his rights of supremacy over this territory. It seems, therefore, that there is no place for a suzerainty of Portugal over the regions around Stanley Pool, according to the opinion of the Government of the French Republic, for the Senate and the Chamber of Deputies authorized the President of the Republic to ratify the treaty and act abovementioned, and the President has promulgated a law to give them full effect.

It might reasonably be asked if there is any difference in principle between the right of African chiefs, admitting they are sovereigns of a territory, and the right of Asiatic chiefs to cede their territory to a private company. France, at least, has recognized the right of King Makoko, suzerain of the Batakès, to cede to a European State his rights of sovereignty, and the right of the chiefs subordinate to his authority to cede the possession of the parts of the territory they occupied. Why should it be forbidden to a native chief to cede his territory to an international European company, which, according to the law of nations, is perfectly capable of accepting and exercising such a sovereignty?

The Comité d'Études of the Upper Congo—for it is necessary to distinguish between the association which occupies the Lower Congo and the association which occupies the Upper Congo—has made, through Mr. Stanley, with the native chiefs, treaties, which in regard to their tenor resemble more closely the treaties concluded by the British Society with the Sultans of Brunei and Sooloo, in the island of Borneo, than the treaties concluded by the native chiefs of the Upper Congo with Mr. Savorgnan de Brazza. Take, for example, the treaty which Captain Eliot, agent of Mr. Stanley, concluded with the Chief Manipembo, the 20th of May of this year. The first three articles declare that the Chief Manipembo cedes and abandons to the committee of the Upper Congo, in full property, certain territories in return for a present, the receipt of which is acknowledged, and he solemnly declares that these territories form an integral part of his State, and that he can freely dispose of them. It is clearly evident from the tenor of these articles that the Chief Manipembo recognizes no superior chief. Article IV of the treaty states that the cession of territory carries with it the abandonment by the above-named chief and the transfer to the committee of all his sovereign rights.

Was this transmission of sovereign rights to the committee of the Upper Congo illegal according to the law of nations? It is indisputable that the Chief Manipembo was legally capable of concluding treaties with European powers, for the French Republic, through M. Cordier, on the 12th of March of this year, concluded with him and with the King of Loango treaties by which all the left bank of the river Quillou, which empties into the Bay of Loango, is placed under the protectorate of France.

[1] Mr. A. J. Wauters, assistant secretary of the International Congress of Commercial Geography of 1879. First number of the Review, July 1, 1883, p. 60.

Concerning the exercise by the committee of the Upper Congo of sovereign rights, acquired by treaties with native chiefs, if reliance can be placed upon an article in the journal l'Export, which professes to have its facts from good authority, the committee has instructed its representatives, in case of expeditions from any nation seeking to establish themselves there, to give them gratuitously the necessary land. The committee wishes especially to create colonies at the stations of the Congo, and to see developed there a new kind of free cities. An idea which may throw some light on the future of the Upper Congo is this: An international protectorate of the Lower Congo, under the presidency of Portugal, and a system of free cities for the Upper Congo.

History teaches us that the march of the caravans which traverse the sandy deserts of northern Africa has been rendered possible by the existence of certain spots where nature has made provision of water and vegetation, where travelers and camels can rest and refresh themselves. Why should not a philanthropic association be permitted to imitate this foresight of nature, and to establish, like these oases, free cities at certain distances upon the banks of the great river of equatorial Africa to facilitate the progress of a humane civilization and the development of a beneficent commerce?

The institution of free cities in Germany greatly accelerated the progress of the arts and civilization in Europe, and the rapid development of these cities in the fourteenth century teaches us that by means of such an organization a nearly barbarous country can be erected into a civilized body upon an industrial and commercial basis. These cities, either through their origin or by virtue of the charters granted them by sovereign powers, secured to themselves a free government, which assured to their citizens personal liberty and the ownership of their property under the protection of their own magistrates.

The traveler in the free city of Bremen, on arriving at the market place, will see before him a great stone column which is called the Rolands Saule. This column supports the colossal figure of a man holding in his right hand a sword and crushing under his feet the head and hand of a man. This is emblematical of the right of the city to dispose of the lives and labor of its inhabitants. The present column was erected in 1412, but it replaced a wooden column which dated back to the period of the First Crusade, and whose origin is unknown. Other monuments of analogous character to this are found in many of the cities of Germany, and they are symbols of the right which the magistrates of these cities had to exercise both civil and criminal jurisdiction. They bear witness that these cities were sui juris in regard to the power to make and execute their laws. Should an institution which contributed so much to attach the north of Europe to the civilization of the south, which rooted itself so firmly upon the shores of the North Sea and the Baltic that its vitality withstood the strain of wars and civil dissensions for six centuries, should that be regarded as an innovation in the usages of nations when transplanted into equatorial Africa?

When the Dutch provinces of Spain revolted against the Spanish Crown and the Prince of Orange granted letters of marque to individuals to make reprisals against Spain, the Spanish Government refused to recognize the legality of these letters of marque upon the pretext that a republic could not exercise rights of admiralty, which belonged exclusively to crowned heads. This is the origin of the term of opprobrium guex de mer, which the Spaniards employed to degrade the Dutch, but which the Dutch adopted as a title of honor. In the same way as now it was then attempted to make it appear that under the law of nations States alone could exercise sovereign rights. But the facts contradicted this proposition. The suggestion recalls the fable of the hare and the tortoise. According to the principles of pure mathematics the tortoise should never be able to catch the hare, but the problem is simplified enormously when recourse is had to the proof of the facts. To use a scholastic expression, "Experience discovers the truth"—solvitur ambulando. For example, the right of the International African Association to hoist a flag upon its steamboats upon the Lower Congo can be denied, while the English society, in possession of the rights of the Sultans of Brunei and Sooloo, implying the exercise of rights of sovereignty, has raised its flag, and the British admiralty has been authorized to recognize it.

To return to the objection of certain publicists that a State alone can exercise sovereign rights: The free cities of ancient Rome and of the Empire of Germany (to distinguish it from the present Empire) were not subjects of the Emperor, but vassals of the Empire, and when the free city of Strassburg capitulated in the year 1681 the King of France received it under his royal protection, and it preserved all its privileges and its magistrates with civil and criminal jurisdiction, as a free republic, with a territorial zone, under the protection of France, until the French Revolution.

What are the obstacles which delay the establishment of a system of free cities

on the banks of the Upper Congo, and which prevent the powers whose subjects have establishments on the Lower Congo from coming to an agreement as to an international protectorate of the river? There is a European power which arrogates to itself, in virtue of a discovery of the mouth of the river Congo in the year 1484, the sovereignty of all territory watered by this river and its affluents. I do not speak of the pretensions of this power over all the territory of the west coast of Africa between 5°, 12°, and 8° south latitude—pretensions which have been contested by France, by Holland, and even by England since the slave trade was abolished by conventions between the British and Portuguese Governments. So long as the slave trade existed, everybody hunted negroes in common in the regions of the Congo. Since the slave trade was abolished the maritime powers of Europe have treated the pretensions of Portugal with courtesy, but not one has admitted them.

I affirm, with all the respect due to the country of Prince Henry the Navigator, that this is the condition of things upon the Congo, although the Portuguese Government, in a circular dispatch, written in reply to a resolution of the Institute of the International Law, has asserted that its rights are not disputed.

In support of this assertion of the Portuguese Government the author of the dispatch cites an incident of the last Franco-German war. During the war a French corvette captured a German merchant vessel, the *Hero*, lying at anchor in Banana Creek, inside the mouths of the Congo. The circular dispatch states that the German Government requested the Portuguese Government to demand the rendition of the prize, as captured in Portuguese waters; but it does not say that the Portuguese Government took any steps before the French prize courts, or that the French Government acceded thereto. The statement of facts stops there. Then, the dispatch says that "the news soon reached Europe that the French governor of Gaboon, the port into which the captor had carried his prize, had set at liberty the crew and caused the German ship to be taken back to Banana Creek, where it remained at anchor till the close of the war."

The author of the dispatch appears to me the victim of the paralogism, described by the phrase post hoc, propter hoc, for he attempts to draw from these facts the "irresistible conclusion" that the governor of Gaboon recognized the waters of Banana Creek as Portuguese waters. It appears, on the contrary, that the ship was set at liberty by the governor of Gaboon motu suo proprio, and in no manner on account of any demand of the Portuguese Government; and the only legitimate conclusion from the premises is this: The governor of Gaboon recognized that the capture of the ship had been effected in territorial waters, where, whether they belonged to a native king or to a European power, France had not the right as a belligerent power to capture the enemy's ships.[1] The governor of Gaboon conducted himself loyally without waiting special instructions from his Government. This fact, which the author of the dispatch cites as a proof of Portuguese sovereignty over the territories of the west coast of Africa between 5°, 12°, and 8° south latitude, comprising the mouths of the Congo, has absolutely no significance as an argument.

Another event which the dispatch of the Portuguese Government recalls is that of the 1st of May, 1877, which had previously acquired considerable notoriety by the publication of the correspondence between the Portuguese Government and the Government of Her Britannic Majesty. Several old slave traders established at Punta da Lenha, were carrying on a regular and legal commerce with the natives, but at the same time were slave owners. In consequence of an incendiary attempt upon a Dutch factory, the residents of Punta da Lenha made a "noyade" (drowning of several persons at the same time) of negroes in the river opposite Boma. The British consul, who resides ordinarily at St. Paul de Loando, which city is under the jurisdiction of the Portuguese Crown, wished to make inquiries at the scene of the crime in regard to the summary execution of 29 negroes by order of their masters, but he did not dare to disembark at Punta da Lenha because of the threats of the inhabitants. Under these circumstances, the Portuguese Government conducted itself in a very proper manner. At the instance of Consul Hopkins, of Loando, the governor of the Portuguese province of Angola sent a gunboat to Punta da Lenha and arrested a British subject named Scott, implicated in the noyade, and was perfectly willing to try the accused according to the laws of Portugal, with the consent of the English consul; but the correspondence between the two Governments shows that the English Government was unwilling to admit Portuguese sovereignty over the banks of the Congo. It is

[1] The Times of the 5th November, 1882, in which an English translation of the circular dispatch of the Portuguese Government is published, says, "Unquestionably because the Government perceived that the capture had been made improperly."

surprising that the author of the circular dispatch should have cited this incident as indicating the recognition of Portuguese sovereignty by the English Government, when the correspondence presented to the British Parliament in regard to this matter proves precisely the reverse. Here, for example, are the terms of a dispatch of Sir Julian Pauncefote, under secretary of state, to the English consul at Loando, which closes the correspondence:

"The territory in which these outrages have been committed has long been claimed by the Portuguese Government, and this claim is renewed in the correspondence with the Portuguese authorities inclosed in your dispatches. Her Majesty's Government, however, as you are aware, have always contested and opposed that claim, and can not, therefore, admit the jurisdiction of the Portuguese tribunals to deal with the case of Scott."[1]

No one accuses Portugal of wishing to impede the free navigation of the Congo, but it is to be regretted that, being powerless to insure that navigation to its own subjects, it is unwilling to consent to a friendly agreement with the powers whose subjects have factories upon the north bank, to put the navigation of the river beyond risk of danger. I have said advisedly that Portugal is powerless to insure the navigation of the river to its own subjects. I have already spoken of the tribes which inhabit the borders of Pirates Bay upon the north bank of the river, against whom the English commander, Hewitt, had to organize an expedition in 1875, because they had plundered an English merchant ship and massacred the crew. But there is on the south bank a considerable tribe who practice piracy on a large scale, and do not even respect Portuguese vessels. These pirates especially infest San Antonio at the southern extremity of the mouth in the immediate neighborhood of the column of Point del Padron. The author of a book entitled "Four years on the Congo."[2] published in Paris, describes an attack by these pirates upon a Portuguese brig. The account is interesting, but I will not now go into details. What it imports is the powerlessness of the Portuguese Government to suppress the piracy of this tribe and to punish the guilty ones. I cite an extract from this work which gives the history of the Portuguese expedition sent to punish the Mussorangos who had attacked the Portuguese brig:

"On the 15th of November two corvettes and the frigate *La Gaudiana* left Loando, the little fleet commanded by M. Viegas de C——, headed for the Congo. The commander hoped to surprise the negroes. Arrived at a place considered sacred, and which is called the 'Stone of the Fetish,' they anchored, and M. Viegas himself, with one company, ascended the creek in a steam gunboat and effected a landing which the savages endeavored at first to oppose; but soon afterwards, dislodged by the showers of grapeshot from the frigate, moored a few cables' lengths only from the shore, they retired in good order. Meanwhile, the little band of whites, finding no serious resistance, advanced. The corvettes shelled the villages in sight. Some groups of Mussorangos, who had stood firm till then, feeling themselves vanquished, fled in every direction, returning and stopping from time to time behind trees to discharge their guns at the whites. The commander burned all the villages he found. That was all that could be done. It would not have been prudent to march at a venture into an unknown country in search of an unapproachable enemy always fleeing. It was necessary to reembark; the ships came back to Banana, where they remained some days and then returned to St. Paul."

This is a very recent occurrence, which does not very well bear out the assertions of the Portuguese Government relative to the efficacy of its jurisdiction as remedy for the disorders of the Congo.

"The Congo (says the author of the circular dispatch) and the territories bordering its mouth are already the seat of an important commerce, and of European establishments of diverse nationalities, but there is no security either for life or property, no police, no courts, nor any of the institutions so necessary to all civilized people, and which can only be established under a recognized and effective jurisdiction. And such jurisdiction can only be exercised by Portugal, because no other nation possesses or claims any rights of sovereignty over these territories."[3]

I repeat, the good intentions of Portugal are not in dispute. What is wanting is energy and material power: and it is necessary to have these in order to civilize the country discovered by the agents of the International Association. Four centuries have elapsed since Diego Cam, a Portuguese cavalier, erected a column upon the Point del Padron, the end of the south bank of the river's mouth, in

[1] Parliamentary Papers, Africa, No. 2, 1882, p. 86.
[2] Paris, G. Charpentier & Co., 1883.
[3] I quote the text of the circular as published in the Independance Belge of the 7th November, 1883.

commemoration of the fact that a subject of the Crown of Portugal had discovered the great river Congo. This same point is to-day in the hands of a native tribe, which not only does not recognize the sovereignty of Portugal, but openly defies it. Nevertheless, the author of the circular finds much fault with the resolution of the Institute of International Law, because that resolution implies, according to him, forgetfulness of the rights of Portugal. What rights? There exist rights based upon the discovery of the country, but considering that the fleets of Pharaoh Neco, King of Egypt, made the circuit of Africa, we can not admit that the legal discovery of the Congo was effected by Diego Cam. But rights founded upon the discovery of the country are only imperfect rights; occupation should follow within a reasonable time to render them perfect, otherwise the discovery becomes inoperative, like an abandoned title. Has Portugal occupied both banks of the Congo to acquire possession of its waters? Have we the proof of it? On the contrary, the very territory where Cam erected this column is to-day in the power of a native tribe, who have always resisted Portuguese sovereignty, and who openly claim to be (a thing almost incredible) the enemies of the human race (hostes humani generis). And, on the other hand, England, which pretends to no sovereignty over the waters of the Congo, has been obliged to land a force upon the north bank to chastise an act of piracy committed by the inhabitants of the creeks in the neighborhood of Banana.

It is evident that very soon the problem of the free navigation of the Congo will assume such proportions that the solution can not be longer deferred. Should this solution wait upon a state which up to now has only demonstrated its powerlessness to civilize the countries on the south bank of the Lower Congo, its sovereignty over which is not disputed by any European state?

LONDON, *November 21, 1883.*

ARGUMENT OF PROFESSOR ARNTZ.

Can independent chiefs of savage tribes cede to private citizens the whole or part of their states, with the sovereign rights which pertain to them, conformably to the traditional customs of the country?

This question, as it is propounded, presents two aspects. It must be considered—

I. From the point of view of the right of the one who cedes.

II. From the point of view of the one to whom the cession is made.

I.

In examining this question from the standpoint of international law, we must first ask if the chiefs of savage tribes can, generally, make treaties, conventions, cessions of territory; in other words, if the tribes which they represent are considered as states having the capacity to make international treaties which would be respected as such by all civilized or noncivilized nations.

From the fifteenth century till early in the nineteenth century the rules of international law were regarded as being to some extent an exclusive privilege of Christian peoples for the establishment of regular relations between them. With regard to pagan peoples, they were not considered as participating in the political community which international law established between Christians; and it was only by Article VII of the treaty of Paris of the 30th of March, 1856, that "the Sublime Porte" was admitted "to participate in the advantages of the European concert."

We can easily understand that Christian nations could not admit to participation in the advantages of international law the people of nations who did not recognize this law as binding upon themselves and who did not practice its precepts. Publicists and moralists teach that in their relations with pagan and savage populations Christian sovereigns should always conduct themselves honestly and observe the rules of justice, equity, and Christian morality.

It would be too long to enter here into the details of the discussions which the authors of the sixteenth and seventeenth centuries had on the subject of the conduct of European nations in regard to the Indians. We shall limit ourselves to saying that the relations of the states of Europe with other nations had no fixed rules; that they varied much, according to the power and importance of the foreign nations, according to the communications more or less numerous which Europeans had with them, and according to the manners and customs practiced by them.[1]

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[1] Heffter, par. 7, p. 14: "With respect to non-Christian states which are not yet regularly admitted into the bosom of the European family the application of the same law is entirely free and founded upon a purely conventional reciprocity. Relations with them are formed according to the exigencies of policy and morality."

Thanks to the progress of humanitarian ideas—of a better practice of Christian morality and the greater influence of principles of international justice—feeble people, almost savage, although not possessed of the benefits of civilization, are no longer considered in our days as destined to serve as a mine for civilized nations to "work." All those having a human face turned toward the heavens are considered as members of the great human family, children of the common Father, animated by the same Divine breath, having the same destiny to accomplish, and meriting the respect due to human dignity.

These ideas have prevailed with juriconsults and publicists, have permeated their doctrines, and happily have guided their practices. Savage tribes, although living in very imperfect communities, as well as their territories, are no longer regarded to-day as things without a master and belonging to the first occupier—that is, to the first comer stronger than themselves. Want of civilization can no longer serve as a pretext to civilized nations to put them under subjection or to control them by violence.

The law of nations is a science still imperfectly molded or stereotyped, and especially is it a science which ought not to be and can not be formulated a priori. Its fundamental principle is, no doubt, philosophy, but it has its positive base in the facts of history and authoritative doctrine.

What are the conditions to enable a State to exist as such and to qualify it to treat?

"A certain number of men and families who, being united in a country and having fixed their abode there, associate and submit themselves to a common chief with the intention of providing for the safety of all form a state," says Klüber,[1] and to the same effect says G. F. de Marten:[2]

"Sovereignty (continues Klüber[3]) in this extended sense consists in the ensemble of rights belonging to a state independent as regards its object. It comprises, first, the entire independence of the state in the face of foreign nations; second, legitimate power of the government or of the authority which the purpose of the state demands."

The same author says:[4]

"Sovereignty is acquired by a state either at its foundation or when it separates itself legitimately from the dependence under which it was. To be valid it does not need to be recognized or guaranteed by any foreign power whatever, provided its possession is not faulty (vicieuse)."

It is useless to multiply extracts. The principles summarized by Klüber on the sovereignty, the independence, and the equality of states from the legal point of view are equally professed by all authors. We will limit ourselves to the following: Heffter, par. 15, 16, pp. 32–34; par. 23, pp. 42, 43; par. 26, 27, pp. 47–49. Wheaton, vol. 1, pp. 32, 43. Vattel, lib. 1, chap. 1, sec. 4. W. E. Hall, International Law, par. 2, 4, pp. 16–20; par. 6–8, pp. 34, 37; par. 9, 10, p. 39–42. Calvo, Droit International, par. 39–41, pp. 143–147.

Tribes inhabiting determined territory, represented by their chiefs, form, therefore, independent states.

From this the first consequence is that the territories which they occupy are not things without masters (res nullius) and can not be occupied by other states. It is only territories without master; that is to say, upon which no sovereign power is yet established that can be the object of occupation.

As regards the right of occupation, see the following authors:

"Christian people can not rightfully take possession of lands which savages already really occupy," says George Frederick von Marten.[5]

Klüber[6] says: "A state can acquire things which belong to no one [res nullius] by occupation [original] and the goods of others by means of conventions [derivative occupation]. * * * In order that the occupation may be legitimate the thing itself should be susceptible of exclusive property and belong to no one. (A) The state should have the intention of acquiring the property thereof."

In the note (A) the author says: "Property thus is acquired rightfully by an occupation without flaw; it is preserved by continuous possession. In consequence no nation is authorized, no matter what its pretensions, especially if of a higher degree of culture, to seize upon the property of another nation. It can not even take it from savages or nomads."

The author cites in support of this: Gunther, Völkerrecht, vol. 2, p. 10, et seq.

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[1] Droits des gens moderne, par. 20.
[2] Einleitung in das positive enropaïsche Völkerrecht, Gottingen, 1796, p. 1.
[3] Droit des gens moderne, par. 21.
[4] Ibid, par. 23.
[5] Einleitung in das positive enropaïsche Völkerrecht, par. 31.
[6] Droit des gens moderne de l'Europe, par. 25.

See also the beautiful and energetic passage from Heffter, Le Droit International Public, vol. 1, par, 70, p. 141, 142: "Droit d'Occupation."

To give validity of occupation it is necessary that the property should be without master and that the intention to acquire the domain should be joined to the fact of an effective taking possession. Let us examine each of the three conditions:

1. Occupation is only to be applied to property which, although susceptible of being possessed, has no master. It does not extend to persons who can only be the object of a submission, whether voluntary or forced. Occupation is to be applied notably to countries and islands uninhabited or not entirely occupied; but no power on earth has the right to impose its laws upon wandering or even savage peoples. Its subjects can seek to establish commercial relations with these latter, can remain among them in case of necessity, can demand of them indispensable articles of provisions, and even negotiate with them the voluntary cession of a portion of the territory, with the object of colonizing it. Nature, it is true, does not forbid nations to extend their empire upon the earth; but it does not give the right to a single one among them to establish its dominion anywhere wherever it chooses to do it. The propaganda of civilization, the development of commercial and industrial interests, the putting into activity of unproductive values do not justify it either. All that can be accorded on the subject is that in the interest of the preservation of the human kind it may be permitted to nations to unite in order to open by common accord the ports of a country hermetically sealed to their commerce.

See, to the same effect, Bluntschli, "Droits des gens, codifié," par. 20, p. 63.

Similar citations could be multiplied.

Communities of noncivilized tribes, forming according to the law of nations, as to-day admitted, independent states, the first logical consequence which follows is that these states can not be acquired by reason of occupation by other states. A second consequence which necessarily follows from the same premises is, that these states or their chiefs can make international treaties of every kind—treaties which have obligatory force for the contracting parties, and which should be respected by all other states, if they do not interfere with existing rights.

We would remark here with Calvo[1] that "international treaties may be concluded, even with nomadic peoples, having no territory of their own nor fixed domicile, when they have an expressed political organization and a common council by the intermediary of their chiefs or their assemblies." In this category (adds the same author) may be classed the Bedouins, scattered over the deserts of Arabia, Syria, Egypt, and barbarous Africa, and the Turcomans, who wander over the plains of central Asia."

"There are conglomerated populations which do not compose a state. * * * But the nomads and the savages have, either among themselves or with civilized people, an international law which is observed equally with the international law of civilized nations," say Funck, Brentano, and Sorel.[2]

By still stronger reasoning the tribes composing states dwelling in determined territory can make international treaties. Savage African tribes, possessing determined territories, can make all kinds of treaties. Their chiefs can therefore cede territory, in whole or in part, to whom, we will see under No. 2. This rule, or rather this consequence, can not be impeached in theory.

Sovereignty of a state, in the sense of international law (says Kiüber, "Droits des gens moderne de l'Europe," p. 22), consists essentially in independence of all foreign control in relation to the exercise of rights of sovereignty; it ought by its nature even to be exercised independently of the antiquity of the state, or the form of its constitution of government, or the order established for the succession to the throne, or the rank, title, or state of its sovereign; of the extent of its territory; of its population, political importance, manners, religion, state of culture in general, the commerce of its inhabitants," etc.

And the same author, paragraph 127, says:

"In regard to public domain, the state has, over the things which form part thereof, all rights of property, not only of exclusive possession and the right to enjoy it as owner, but also that of disposing freely thereof. The conventions or arrangements which it may make in this respect, whether with its subjects or with foreigners, are absolutely independent of other governments. Nothing forbids it alienating its property, its putting it in pledge, or abandoning it. It has the capacity to acquire by accession."[3]

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[1] See Charles Calvo, "Manuel du droit international public et privé" (par. 49, p. 85); also, his "Droit international theorique et pratique," vol. 1, p. 320.

[2] Précis du droit des gens, Paris, 1877, No. X, p. 23.

[3] See on this point, International Law, by Edward W. Hall, M. A., barrister at law, Oxford, 1880, par. 35, p. 100.

Without going back to antiquity, modern history, since the seventeenth century up to our own days, furnishes us numerous examples of treaties, of cessions of territories, etc., concluded between civilized states on the one hand and savage tribes on the other. It is sufficient to recall the most noted cases:

In 1620 the English Puritans embarked on board the *Mayflower*, after establishing themselves in the northern part of Virginia, concluded with the chief or sachem of the Indians, Massasoit, a treaty of friendship, the most ancient treaty concluded by New England.[1]

In 1639 the founders of the colony of New Hampshire concluded with the Indians conventions for the purchase of land situated between the Piscataqua and the Merrimac, and there established the town of Exeter.[2]

Later William Penn made treaties with chiefs of Indians. It is useless to cite here the numerous treaties between the different States of New England and the chiefs of Indian tribes.

Wheaton[3] recounts that some of these Indian tribes have recognized by conventions that they held their existence entirely at the will of the State within the limits of which they resided, and that others preserved a limited sovereignty and the absolute dominion of the territory inhabited by them; and he adds that by two decisions of the Supreme Court of the United States, in 1831 and 1832, the Cherokee Nation, residing within the limits of the State of Georgia, are held to constitute a distinct political society; that numerous treaties made by this nation with the United States recognize it as a people capable of maintaining relations of peace and war; that the Eng'ish Government, having preceded the United States, bought their lands by contracts of sale, freely assented to, and never forced them to make sale against their will.

Let us pass from America to Africa and Asia. In the course of the last fifty years England has concluded with the chiefs of countries adjacent to the Congo thirteen treaties, of which we mention specially two—one concluded the 11th of February, 1853, with the King and chiefs of Cabinda, the other concluded the 20th June, 1854, with divers chiefs of the river Congo.

The treaty concluded by Mr. Savorgnan de Brazza with the King Makoko is of public notoriety.

To terminate the series of historical documents in support of the theory that chiefs of savage tribes can validly make treaties and cessions of territories in full sovereignty, let us recall further the recent treaties of the 29th of December, 1877, and the 22d of January, 1878, by which the Sultans of Brunei and of Sulu, in the island of Borneo, ceded a part of their territory to Mr. Alfred Dent and Baron Overbeck.

If, from the point of view of international law, it is indisputable that no state, civilized or not, has the right to arbitrarily trouble the chiefs of savage tribes in the possession of their sovereignty, the same prohibition applies to those to whom they have conceded, whoever they may be.

The cessionaires have the same rights as the ceders. Under what pretext could another state trouble them? Their cession is valid, and thus all motive or even all pretext for trouble is wanting; or the cession is null according to the law of nations, and then the sovereign who made the cession has, in right, preserved all his sovereignty, and no other state has the right to trouble it, or even to intervene to make good the nullity of the cession.

II.

Let us take the second question: Can a cession be made to a private citizen?

We are happy to be able to abridge this part of our work by referring to the article, "The free navigation of the Congo," published by our eminent colleague of the institute, Sir Travers Twiss, in the sixth number of the Revue du Droit International, for 1883.

It is true that Sir Travers Twiss occupies himself with the question whether these associations which are not organized as states can exercise sovereign rights, rather than whether these rights of sovereignty can be conceded to private individuals; but the argument which he invokes in support of his thesis applies in great part to cessions made to individuals.

When writers establish their point of departure to arrive at a demonstration they commence often by saying, "It is an established principle," etc., or, "It is a principle of law," etc. And they employ this form when their principles are the

[1] Bancroft's History of the United States, vol. 1, pp. 342-350.
[2] Carlier, History of the American People, vol. 1, p. 300.
[3] Elements of International Law (Fr. tr.), vol. 1, p. 50.

most contestable. In the article we have just cited Sir Travers Twiss mentions an article in the Revue de Geographé, of Paris,[1] in which Mr. Delvand says: "It is a principle of law that states alone can exercise sovereign rights, and that no private company can have them." He (Sir Travers Twiss) adds, with reason, that this proposition is affirmed in too absolute a manner, and he proves conclusively by historical facts that his criticism is just.

Doubtless an individual, as such, and a private society, in that capacity, are not sovereigns and exercise no act of sovereignty. This needs no demonstration. But, in virtue of what principle of international law is it sought to be shown that one who is a private citizen to-day can not become a sovereign to-morrow and be in possession of the plenitude of sovereignty? Such a principle does not exist. No author of international law has ever sustained it, and all the history of humanity, from the earliest down to modern times, denies it.

Individuals can become sovereigns, and exercise the rights of sovereigns, in two ways:

First. By creating themselves into a state—that is to say, by establishing themselves upon a territory which belongs to them and forming themselves into a community, with a regular government and legal organs of public power—in a word, with all the constituent elements of a state.[2]

Most of the states of antiquity, according to legends and traditions, or positive historical information, have been created in no other way.

The states of the Middle Ages had the same origin. The Franks, the Visigoths, the Ostrogoths, the Burgundians, and others were only nomadic peoples, composed of chiefs who, in the eyes of international law, were only individuals, but who founded states.

The Italian republics of the Middle Ages were only municipalities without international sovereignty, and they have become sovereign states. Simple individuals, poor fishermen, caused the Republic of Venice to rise from the waves of the Adriatic and to become its queen.

Almost all the States of New England, in America, have been founded by individuals.[3]

States, to exist, have no need to be recognized by other states. Those who have founded them are the sovereigns, and therefore have the right to exercise the rights of sovereignty in so far as this exercise has not been delegated to an authority instituted under the constitution of the state.

And a revolution which has for result the detaching from a state of one of its parts, is it not at the commencement the work of individuals? And those individuals, if they unite themselves in their enterprise, can erect a simple province or provinces into a new and sovereign state, and exercise then sovereign rights.

And if to-day simple individuals should establish themselves on a desert island, or on territory unoccupied by another state, they can establish a new state, with all the rights of sovereignty. We have seen Texas thus formed.

Second. An individual can become sovereign by succeeding to another sovereign in the exercise of the sovereignty of a state. From a private individual he becomes a sovereign.

The question whether a private individual can accept a sovereignty when the interior laws of his state forbid him is outside of our subject, and we do not treat of it.

Philip, Duke of Anjou, great-grandson of Louis XIV, was, from the point of view of international law, a simple individual. After the death of Charles II, by the treaty of Utrecht the states belonging to the Crown of Spain were dismembered, and Philip V was recognized as the King of Spain, and acquired part of the states of the Spanish monarchy. Other examples might be cited.

When a prince was elected King of Germany he became a sovereign from a private individual that he was.

Or, again, when a chief of an African tribe, forming a sovereign state, cedes to an individual in full sovereignty a part of his state, does he do other than to call another person to the exercise of rights of sovereignty over one part of his state, erected into a new state? What difference is there between the case of a European prince who is called as sovereign to a state, or part of a state, and that where an African chief calls upon an individual to exercise sovereign powers over part of his state? In the fact undoubtedly there is much difference, but in law there is none; and that is the question. It is a question of law (droit) we have to study here.

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[1] Elements of International Law (Fr. tr.), vol. 12, p. 12.

[2] See authorities cited, p. 4, supra.

[3] See the histories of Bancroft and Carlier.

It is even possible that an individual may remain a subject of the state to which he belongs and may be the sovereign of another country. The sovereign, therefore, can have a double personality. Thus, Ernest Augustus and George V, Dukes of Cumberland, were subjects of Queen Victoria and peers of England, at the same time Kings of Hanover. In 1787 the sovereign bishop of the principality of Osnabruck, the Duke of York, sat as a peer of England in the House of Lords.[1]

The question which has been laid down at the head of this opinion is a novel one. It has not been foreseen or treated in works of international law. Many authors treat a question which touches upon this one, but which differs from it a good deal. They ask if an individual can make in his own name an act of occupation of a territory newly discovered without a master. They reply negatively to this question, and, in their line of ideas, they are right; for those who discover new territories are almost always navigators, traveling in a public ship, often public officers or individuals commissioned by their governments—agents of the government—and they can not occupy in their own name.

A recent event furnishes a powerful support to the theory that rights of sovereignty can be ceded to individuals, namely, the treaty between the Sultans of Borneo and Sulu and Mr. Dent and Baron Overbeck, who, in their turn, have ceded their rights to a private British company, the "British North Borneo Company." This fact has importance in itself, as a new event which enlarges juridical science; but what especially gives strong support to our thesis is the manner in which this event has been appreciated, be it inferentially or explicitly, by several governments, by jurisconsults, and by eminent statesmen whose opinions can be invoked as having authority.

The opinions of jurisconsults and publicists are ranged among the sources of international law.[2]

In the first place, the Governments of Holland and of Spain, who believed themselves most directly affected by the concessions accorded by the two Sultans of Borneo, did not deny the principle of the capacity of individuals or of associations to have ceded to them rights of sovereignty, but they raised reclamations against these treaties by invoking rights previously acquired.

Let us reproduce here the passage written by M. de Laveley upon the discussion to which the giving of a charter of incorporation to the British North Borneo Company gave rise in the English Parliament:[3]

"Certain members of the left, adversaries of what is called in England the imperial policy—that is to say, of the policy which seeks extension of territory and of influence—criticised the measure because it created a new responsibility for the country; but no one contested the right of individuals or of the company—rights resulting from treaties concluded with indigenous chiefs. In the reply made in the House of Commons by the attorney-general, Sir Henry James, we read:

"'These rights were conceded to the company and became legally its property. The Government of Her Majesty had no power to enter into a general examination of the propriety of the occupation of Borneo by a commercial company. It would have been an act of confiscation if, after what had happened, the Government had interfered and had endeavored to take from it the rights which it had acquired. * * * The only thing the Government had to decide was whether or not it was necessary to leave the company to act without impediment and entirely without control.'

"Mr. Gladstone was not less affirmative. Said he at the same sitting:

"'The charter has not conferred upon the company a single privilege above and beyond what it had already acquired by virtue of a title sufficient to enable it to exercise all these powers.'

* * * * * * *

"From the explanations given by Lord Granville in the House of Lords the 13th of March, 1882, it appears that if Holland and Spain have protested against the rights invoked by the Overbeck-Dent Company, it was because of anterior rights which these states pretend to have over the northern part of Borneo, but, no more than Germany, formally consulted in the matter by the British Government, have they raised any doubt as to the capacity of individuals and companies to obtain from noncivilized sovereigns the cession of rights implying the exercise of sovereignty. This capacity also was not denied by the members on the opposition side of the House of Commons."

Thus, the opinion of four Governments, the opinion of two English ministers,

[1] Heffter, "Le droit international public," par. 52, p. 104.
[2] Wheaton, vol. 1, par. 12, p. 25; Heffter, par. 8, p. 16.
[3] "Revue de droit international," vol. xi, pp. 258, 259.

Lord Granville and Mr. Gladstone, and of the attorney-general, Sir Henry James, that of Sir Travers Twiss, and of M. de Lave eye, to which we would add the considerations developed in the open letter addressed the 23d April, 1883, by a member of the African International Association to the Courrier des États-Unis, form an assemblage of authorities of a nature to fortify us in our conviction if we had any doubts.

We conclude with these observations:

1. It is evident that if some powers have raised against similar concessions, made by chiefs of savage tribes to individuals and associations, reclamations founded upon rights previously acquired, there would be ground to submit these pretensions to serious examination, or perhaps they might be submitted to arbitration, as Great Britain and Portugal, in 1875, submitted to the arbitration of the President of the French Republic, M. MacMahon, the contest in regard to certain lands situated on the bay of Delagoa.

2. New sovereignties, at the head of which are individuals or associations, the concessionaries of the chiefs of savage tribes, exist of themselves, of their own right, and their own strength, without having need of the recognition of other states. (See Klüber, par. 23; Heffter, par. 23, p. 42, and par. 51, p. 104; Bluntschli, pars. 28 and 38, and all the authors.)

It depends upon the *conveyance* of other states to recognize or not to recognize these new sovereignties. But whatever may be their determination in this respect, the want of recognition does not give them the right to act as if these sovereignties did not exist, and to consider their territories susceptible of occupation.

3. According to the practice of international law at this day, the recognition of one to whom sovereignty has been conceded, as a sovereign, can even follow of itself in certain cases. Almost all governments, especially Great Britain and the United States of America,[1] have adopted the rule of considering de facto governments as legitimate, as far as they themselves are concerned. (See Heffter, pars. 51, 53, pp. 101–105.)

Let us suppose a European nation had concluded a treaty of friendship or commerce with the chief of a savage tribe inhabiting a fixed territory. This treaty is supposed to be concluded, and is effectively concluded with the state which the chief represents. The chief had ceded his rights of sovereignty to a European individual or a European association, who are put in real possession of the sovereignty. Could the European nation deny the legitimacy of this new government if it was a government de facto, according to international usages? No. At least Great Britain and the United States would recognize it, and probably other states also. And if the preceding chief had been displaced by internal revolution—which can break out among blacks as among whites—and if the black chief had ceded his sovereignty to another negro, a relation or even a stranger to his family, would that be a reason for refusing recognition to the new sovereign? And if the chief of the tribe had ceded his sovereignty to a white man in place of choosing for his successor a black man, or an association composed of whites, certainly the difference of color could not be a reason for refusing recognition to the new sovereign.

Thus it is seen that in wandering away from true and simple principles difficulties of every kind are encountered.

Therefore I am of opinion that independent chiefs of savage tribes can validly cede to a private individual the whole or part of their state, with the sovereign rights which belong to them, and conformably to the traditional customs of the country.

BRUSSELS, *December 15, 1883.*

OTHER AUTHORITIES CITED.

[Extract from the Droit International Codifié, by M. Bluntschli.]

(Page 68, paragraph 35): A new state has the right to enter into the international association of states, and to be recognized by other powers when its existence can not be put in doubt and is assured. It has the right because it exists, because international law unites existing states by common laws and principles based upon justice and humanity.

1. Recognition by other sovereign states is a voluntary act on a part of these latter. It is not, nevertheless, an absolutely arbitrary act, because international law unites, even against their will, diverse existing states, and makes of them a kind of political association.

[1] See manifesto of President Monroe of December 2, 1823.

The opinion is frequently advanced by the older publicists that it depends upon the good pleasure of each state to recognize or not to reorganize another, outside of the necessary and absolute line of international law. If this law rested solely upon the arbitrary will of states, it would not be just that it should be simply a conventional law.

(Page 164): A state has evidently the right to constitute itself without the ratification of another state. This would be the case when emigrants, for example, found a state upon an uninhabited island, as did the Norwegians in Iceland in the Middle Ages. A number of new states of North America were founded by individuals; it was only later that they were recognized by England, and to this day they proceed in the same manner in the United States. If new states can in this way constitute themselves, by still stronger reasoning analogous extensions of territory already existing should be recognized.

[From Elements of International Law, by Wheaton.]

(Page 32, Fr. ed.): The international sovereignty of a state does not in any degree depend upon its recognition by other states. A new state springing into existence does not require the recognition of other states to confirm its internal sovereignty. The existence of a state de facto is sufficient in this respect to establish the sovereignty de jure. It is a state because it exists.

[From Vattel, Le Droit des Gens, vol. 1, p. 489, par. 206.]

ANOTHER MANNER OF ACQUIRING THE SOVEREIGNTY OF A FREE COUNTRY.

If free families, scattered over an independent country, unite to form themselves into a nation or a state, they acquire the sovereignty over the whole state which they inhabit, for they possess already the domain; and since they wish to form a political society and to establish a public authority to which all will owe obedience, it is quite manifest that their intention is to confer upon this public authority the right of sovereignty of the whole country.

[From Heffter, Le Droit International Public de l'Europe.]

(Pages 32 and 33): The existence of a state supposes the following conditions, to wit:

I. A society capable of existing by itself and independently.

II. A collective will regularly organized or a public authority charged with the direction of society for the end which we have just indicated.

III. A permanent status of society, the natural base of a free and permanent development, and which depends essentially on the fixity of the tenure of real estate and the intellectual and moral tendencies of its members.

We regard as idle the questions discussed by the schools, such as, What is the number of persons necessary to form a state? or, If one or three persons are sufficient? The distinctive characteristics of a state which we have just indicated sufficiently answer these questions.

(Page 42:) A state exists de facto so soon as it unites the necessary elements indicated above—that is to say, will, united to the indispensable means and strength to defend its independence.

(Page 43:) The entry of a new state upon the political scene depends in nowise upon an express preliminary recognition by foreign powers. It is fully accomplished the day when it commences to exist. On the other hand, political reasons alone may decide foreign powers to recognize or enter into direct relations with it. Recognition only confirms what legally exists by admitting the new member into the grand European family.

[From the "Commentary upon the Elements of International Law, and History of the Progress of International Law," by William Beach Lawrence.]

(Page 162:) It is not necessary that there should be a determined number of persons to form a state.

(Page 197:) Texas was recognized by England in 1839, when its population was not more than 60,000 souls. Lord Palmerston said on that occasion to Mr. O'Connell "that the principle of the Government was to recognize every state which had a de facto independence."

NEW YORK CHAMBER OF COMMERCE.

DEPARTMENT OF STATE,
Washington, January 23, 1884.

SIR: I have the honor to inclose for the consideration of your committee a copy of resolutions adopted by the chamber of commerce of the State of New York on the 10th instant in regard to securing to American citizens free commercial intercourse along the valley of the Congo, etc., and of a letter communicating the same.

I have the honor to be, sir, your obedient servant,

FRED'K T. FRELINGHUYSEN.

Hon. JOHN F. MILLER,
Chairman of the Committee on Foreign Relations, Senate.

[Chamber of commerce of the State of New York, founded A. D. 1768.]

NEW YORK, *January 11, 1884.*

DEAR SIR: Pursuant to instructions of the chamber of commerce I herewith inclose a copy of resolutions adopted by the chamber at a meeting held yesterday in regard to securing to American citizens free commercial intercourse along the valley of the Congo, etc., and to which your attention is respectfully asked.

I have the honor to be, with great respect, your obedient servant,

GEORGE WILSON, *Secretary.*

CHESTER A. ARTHUR,
President of the United States, Washington, D. C.

[Chamber of commerce of the State of New York, founded A. D. 1768.]

At an adjourned meeting of the chamber of commerce, held January 10, 1884, the following resolutions, presented by Mr. A. A. Low, were adopted:

Whereas the President of the United States has, in his recent message, called attention to the fact that the rich and populous valley of the Congo is now being opened to commerce by the International African Association, and has especially dwelt upon the interest for the purposes of trade and commerce that we have, as a people, in the neutrality of that valley, free from the interference or political control of any one nation: Therefore,

Be it resolved, As the opinion of this chamber that it is incumbent upon the Government of the United States, through its accredited representative, to apprise the Portuguese Government that it will not recognize, but denies, the right of the latter to interfere with the free navigation of the Congo; that the discovery of this great waterway into the interior of the center of Africa is not due to Portugal, but was the discovery of an explorer in the interest of no one nationality, and that the entry, four hundred years ago, into the mouth of the Congo, by the Portuguese, not having been followed up by actual and continued occupation, can give that nation no territorial right to the river or to the countries upon its banks.

Resolved, That the recognition by the Government of the United States of the flag of the International African Association, now extending over 22 settlements in the heart of Africa, will be but an acknowledgment of the fact that that organization, under rights ceded to it by African chiefs of independent territories, is exercising rule and authority over a large part of Africa in the protection of life and property, the extinguishment of the slave trade, the facilitating of commercial intercourse, and other attributes of sovereignty; and that it be recommended to the President to send an accredited agent of the Government to the Congo to confer with that association in the adopting of such measures as may secure to American citizens free commercial intercourse along the course of that river, and through the various settlements or stations established by the association.

A true copy.

JAS. M. BROWN, *President.*
[SEAL.] GEORGE WILSON, *Secretary.*

[Extract from a letter of Mr. Latrobe, president of the American Colonization Society, in reference to the first establishment of a colony and government in]

LIBERIA.

I have just hunted up and read the Congo article in the Herald of the 16th February. As a law argument it is conclusive. So far as the United States are concerned, does not Liberia settle the question? Had it not been for Mr. Monroe's

construction of the act of Congress in regard to recaptured Africans there might have been no Liberia. Obliged to return slaves rescued by our cruisers from the slave ships to Africa. he seems to have bethought him of the American Colonization Society, then struggling for life, after disheartening failures to establish a colony for free negroes from the United States on that continent, and adopting the society as his agent, and the society's agent as his own, he furnished the money that enabled the society to fit out and send to Africa the ship Elizabeth, which landed its emigrants at Memona, then Cape Mesurada, a spot that had been previously selected by Captain Stockton, United States Navy, on the voyage of exploration which the President had authorized for the purpose. The land was purchased from the native kings, under just such treaties as Stanley has now been making, and a place was thus obtained by a benevolent society in the United States to which our Government has since sent all recaptured African slaves, a society which adopted a flag, established a form of government, and which continued by its agents to manage public affairs until it transferred the rights obtained from the natives, governors, or chiefs, to the present Republic of Liberia, which you know all about.

And when the colonists attempted to enforce their customs regulations against British traders within their boundaries, Mr. Fox, then British minister, made a "fuss," and there was a correspondence with Mr. Upshur, Secretary of State, which, if you had time to go over it, would be found not uninteresting. But there was no question about the right of the colonists, or rather the society in the first instance, and afterwards the Republic, as derived from the aboriginal owners of the soil.

I have directed Mr. Coppinger, the secretary of the American Colonization Society, to call on you with a statement made to Mr. Evarts when the difficulty with England about the northwest boundary of Liberia arose, and in which the whole matter of native deeds or treaties is discussed.

Subsequently to the found ng of Liberia, the State of Maryland appropriated $200,000 to founding the Colony of Lubyland, in Liberia, at Cape Palmas. I had much to do with this. The State society, of which I was president, sent an expedition with emigrants, in 1834, who carried with them a bill of rights and an ordinance for their temporary government; and a purchase by treaty from the native kings having been made, established themselves at Cape Palmas. Presbyterian missionaries went along. They employed a colonist as a teacher, who being fined for not attending parade as a colonist, caused a disturbance that brought the secretary of the American Board of Foreign Missions to Baltimore, who denied the right of the colonization society to interfere with the servants of the mission. I insisted that the society was de jure et de facto the sovereign by transfer from the native king, and that the mission servant was bound to obey the agent of the colony in the exercise of his authority under the ordinance quite as much as if he had been summoned and fined in England. Mr. Anderson, the secretary, after a full discussion admitted this to be true, and the mission was removed to the Gaboon.

In the boundary question, which Mr. Frelinghuysen knows all about, the only point was the sufficiency of the deeds or treaties with the kings; no dispute as to their right to convey, if properly exercised, was made.

So far, then, as the United States may be interested in the question, has not our experience, as I have attempted to narrate it, as briefly as I could, sufficiently satisfied us?

EXTRACTS FROM LORD MAYO'S "DE REBUS AFRICANUS."

We have now arrived at Banana Creek, in latitude 6° S., at the mouth of the Congo, where the principal trading houses are the following: The Dutch Company, of Rotterdam, a large, long-established, and wealthy association; the Congo and Central Africa Company, limited, of Liverpool, which it must be remembered is essentially an English company, carried on with English capital; and Danmas, Berand & Co., of Paris. Very nearly all the principal ground at Banana Creek is occupied by those three firms, and a little higher up the creek are two small stores, one belonging to a Spaniard named José Del Valla, an old slave trader, and a man of very bad reputation for his well-known inhumanity towards the niggers. This man does a small trade in ivory, and is associated with a Portuguese, Azevedo, also an old slave dealer, bearing a very similar character. These two traders sometimes hoist the Spanish flag and at other times the Portuguese. The trade they do is of no importance. The other store belongs to a man named De Souza, who trades for Messrs. Hutton & Cookson, of Liverpool. These are all

the trading houses existing at Banana Creek. The Baptist mission some time ago were permitted by Danmas, Berand & Co. to build a house on some land belonging to that firm; but lately the French house sold the ground to the Belgian International Association, under the management of Mr. Stanley, and they have requested the Baptist Mission to evacuate the ground.

[Extract from letter.]

MARCH, 1882.

"There are no special statistics of the Congo trade, but it is known that in good seasons the Congo has exported about 30,000 tons of African produce, the greatest part to England and Holland. It is also known that no less than two and a half millions sterling of English manufactured goods find their way to the Congo and district, and Portugal has not imported or exported to the Congo one single ton; in fact she has no trade of any kind in all the neutral territory from Kinsimbo down to Kabenda, nor at the Congo."

As to the Belgian International Association the following correspondence may be of interest as showing the status and position of the association:

GEOGRAPHICAL SOCIETY OF LISBON.

I.

SIR: The discussion which has been raised by the recent conferences and letters of Mr. Savorgnan de Brazza, and the character of certain statements which have been made directly attacking Portuguese rights and dealing a blow at historical and geographical recognized and established facts, oblige the National Portuguese Committee, as well as the Geographical Society by which it was founded, to occupy itself on this question and to adopt such an attitude as will be consistent with the interest and rights of the nation we have the honor to represent. * * * You are probably aware that the parallels 5° 12' and 18° S. have for centuries determined the limits of Portuguese dominion on the western coast of Africa. You are also aware that several countries have agreed to the generous plan of the King of the Belgians for the creation of an International African Association of a purely philanthropic and civilizing character, and excluding absolutely and formally all ideas of politics. It is exactly this fact, we think, which asserts the internationality of the African Association, and they have adopted as a proof of their character a special banner for their explorations.

In view of the duties devolving on us and the information which it is essential for us to have, I have the honor to beg you will announce the following questions as soon as possible for the information of the Geographical Society at their next meeting, when they will decide upon the line of conduct they intend to adopt.

First. Are Messrs. Stanley and Savorgnan de Brazza to be considered as the explorers of the International African Association, and as such to be quite subordinate to the purely scientific and humanitarian intentions of the said association, excluding absolutely all individual ideas and all political mission or authority?

Second. Are these gentlemen authorized by the International Association, or with the knowledge and sanction of the same, to display on their expeditions or at their stations any national flag, or to effect in the name of any country treaties and compacts of a political nature?

Third. Does the international association (which has refused to accept any political character or authority) undertake the responsibility of manifestoes, intrigues, and intentions of such nature, on the part of its explorers, toward the native populations and other people?

In the interest of this cause, which is common to us all, so long as it is maintained in its original noble principles, and praying for you to excuse our inopportunity, and awaiting your information, we beg you, sir, to accept the assurance of our esteem and high consideration.

(From the first secretary, Luciano Coroleiro, to the secretary-general of the International African Association.)

LISBON, *October 13, 1882.*

II.

AFRICAN INTERNATIONAL ASSOCIATION,
Brussels, October 25, 1882.

SIR: I will not delay in answering the questions you have put to me in your letter of the 13th of October.

First, As far as the International African Association knows, M. de Brazza had

a mission from the French committee of the association and grants from the French Executive. Stanley, on the contrary, is in the service of the International Committee of Science, who have commissioned him to found scientific and halting stations on the Congo, and also to furnish them with any elements of study likely to further any enterprise in that country.

Second. The flag of the association is the only one that is hoisted over the stations Stanley has established. Belgium, as a State, does not wish to possess either a province or even an inch of territory in Africa.

Third. The association holds to its published rules, and its line of conduct is regulated by the same.

I profit by this occasion, sir, to assure you of my highest consideration.

The secretary-general, STRANCH.

We will now imagine ourselves proceeding up the river Congo. The next place we come to after Banana Creek is Quissanga, on the left bank, where the Congo and Central African Company have a trading house.

A little farther, on the right bank, is Cassala, and then on the left bank Chiauga, opposite which is Embomba, at each of which places there is also a trading factory belonging to the Congo and Central African Trading Company.

At Embomba there are several small places belonging to the Dutch Company, the Congo Company, and Danmas, Berand & Co., and also some very small huts occupied by Portuguese trading with the above-mentioned three firms.

Hutton & Cookson, of Liverpool, and the Belgian International Association have houses here, and a Portuguese, named Rosa, a runaway from Loanda three years ago for being implicated in a forgery of Loanda bank notes, has a store and trades with the natives, afterwards selling the produce to the foreign houses. This trade, however, is of no importance.

Twenty-four miles above Embomba, at Mussuca, there are three or four stores in different places, also chiefly belonging to the houses already mentioned, and the only further place of importance below the Yellala Falls is Vivi, 16 miles from Mussuca, a station of the Belgian International Association, the last point that small steamers now attain on this reach of the river, as the current formed by the Yellala Falls, some short distance up, prevents their going any farther.

On the next reach of the river the Belgian International Association have established the station Isaugila, 31 miles from Vivi.

We now reach Manyauga, 80 miles from Vivi, then Lutètè, and then Stanley Pool, where Leopoldville, 135 miles from Manyanga, the headquarters of the Belgian International Association, is established.

Ibalua Nhonton is the next station of the Belgian association, and last of all Bolobo, which is 480 miles from the mouth of the Congo, and has only just been founded, and was reached by the little steamer *Entrant*, which little vessel had been carried up by porters and put together and launched in the upper waters of the Congo.

We now see that, up to the latest information from "the coast," Bolobo is the farthermost settled point in the upper waters of the Congo, and it is undoubted how greatly this trade has developed and how the Congo has been opened up, first by Stanley, then by De Brazza, and also by English and Dutch capital, to the almost total exclusion of the Portuguese, whose rule and exactions bring misery and slavery to all parts of this vast continent wherever they put their heel down. The Portuguese power and prestige in southwest Africa has been on the decline since Portugal became annexed to Spain in 1580, until their power in the Congo now is almost nil. The second part of this pamphlet deals with the Portuguese colonies and possessions, and from that it will be seen with what a dog-in-the-manger spirit they have carried on their government. Therefore, to recapitulate, the interests represented in the Congo are these, taking them in order according to the amount of capital which each nation has embarked in the Congo, viz, England, Holland, Belgium, and France. I do not mention Portugal because, as will be seen from the remarks under the head of Banana Creek, they have no real interest in the Congo.

Having now taken my readers right up the Congo to its farthermost civilized station, we will now imagine ourselves once more at Banana Creek. We are now, after leaving the mouth of the Congo, in territory which is independent, but which is claimed by Portugal, and still proceeding south in the English steamer.

The next stop is at Moculla. A few trading houses belonging to A. Conguy Aine, Danmas, Berand & Co., and J. McFarlane are here on an open beach.

We now halt at Ambrizzette, where there are trading houses carried on by Hatton & Cookson, A. Conguy Aine, Danmas, Berand & Co., and the Congo and Central African Trading Company, and Taylor Logland, of Glasgow.

At Mussera, A. Conguy Aine, Danmas, Berand & Co., are established.

Next, Kinsembo, another trading station on a sandy beach, the houses of which belong to Taylor, Logland, Danmas, Berand & Co., Stewart & Douglas, and A. Conguy Aine.

About 10½ miles south of Kinsembo is the mouth of the little river Loge (lat. 70° 51′ S.), at present the northern boundary of the Portuguese territory.

Beyond this limit our men-of-war have strict orders not to allow the Portuguese Government to hoist any flag or exercise any sovereignty rights whatsoever. In case of their so doing, the orders are very stringent, going so far as to allow of our insisting on their hauling down the flag at once. * * * Having now shortly sketched the present inland boundaries of the Portuguese colonies, I must take my readers back to the coast and continue south in the English coasting steamer which we left at Kinsembo. Ambriz, our next stop, the most northern seaport of Angola, up to the year 1855 was in the hands of the natives, and was one of the principal ports for shipping and trading slaves from the interior. There were also American and Liverpool houses trading in gum, malachite, and ivory, and selling many Manchester and other goods to dealers from Cuba and the Brazils, with which goods slaves from the interior were bought by barter from the natives. Then all trade was free from impost and restriction, but as soon as the Portuguese got possession of the place they, in accordance with their usual policy, at once established a custom-house and levied heavy and prohibitive duties on all goods imported. Successful trading under these circumstances was, of course, impossible.

"The duties originally fixed at Ambriz by the Portuguese, when they occupied the place in 1856, were 6 per cent ad valorem, which they promised not to increase, in order to induce the traders there at the time to remain; but, notwithstanding this, most, if not all, of the foreign traders removed to Kinsembo, it being neutral port. Later on the Portuguese added to the Ambriz duties 2 per cent ad valorem for municipal works; and about one year ago the following taxes, which had not previously existed, were also imposed on the traders: Income tax, 10 per cent; house duty, 6 per cent; property tax, 10 per cent; transfer of property, 6 per cent."

The same taxes are levied at Angola.

If the Portuguese are to be allowed any sovereignty rights north of Ambriz, which rights they are trying to get recognized by the British Government, they will soon find means of setting aside promises which they may now make, just as they have done in the case of Ambriz, and impose similar duties to those paid at Angola.

"Besides all these duties and taxes, the delays experienced at the custom-houses in Angola and Ambriz, and the impositions practiced by their officers (most of whom have only small salaries and depend to a great extent on fees charged for the clearance of vessels and on goods exported and imported) are the great cause of the nonprosperity of the Portuguese ports, compared with the Congo and all the other places north of Ambriz, at present neutral. If a merchant at Loando, or at any of the other places occupied by the Portuguese, requires to send an open boat of three or four tons burden to any of his factories within the said territory, it takes him, in most instances, from two to three days to clear this boat at the custom-house and other Government offices. Goods also that have already passed the custom-house, paid the duties, and been warehoused in the merchants' stores, have, when it is necessary to send them by any of the above-mentioned boats to the factories, to be taken to the custom-house yard, which is the only place whence such shipments are permitted to be made, and there again cleared, necessitating the payment of further fees to the officers for clearing and being present at their shipment. All these requirements of the custom-house involve the payment of further fees by the merchants, and the loss of time and money caused by the innumerable impositions is only too well known to everyone engaged in the trade."

After this the trade at Ambriz languished to such a degree as to be of little or no importance.

The following are the duties and taxes now levied by the Portuguese in the province of Angola. English manufactured goods pay as below:

Gray domestics, 4d. per pound; bleached domestics, 6d. per pound; striped domestics, prints, regattas, and all colored cotton goods, 10d. per pound; woolens or union baize blankets, etc., 10d. per pound; woolen or union cloth for trousering, etc., 1s. 5d. per pound; linens, 1s. per pound; silks, 5s. per pound; silk and cotton mixed, 3s. per pound; cutlery and earthenware, 25 per cent ad valorum.

Ready-made clothing, same as above on the material and 50 per cent extra for being made.

Copper and metal, 1d. per pound; copper and metal, manufactured, 7d. per pound; iron, zinc, or lead, manufactured, 2½d. per pound.

These duties are levied in full if the goods go direct from England; but if they go to Lisbon, paying there a duty of 1½ per cent ad valorem, and 3 per cent for

additional expenses of landing, reshipping, etc., and are shipped from there by a Portuguese vessel, on there arrival in Africa such goods are only charged 70 per cent of the duties already enumerated.

It is somewhat surprising that the Portuguese have been allowed to exercise their own sweet will for so long a time. Any other people than the remarkably inoffensive and unwarlike natives of this part of Africa would have driven them into the sea long ago.

Catumbella, the name of which is taken from the river on which it stands, is the next place. There is a fort at the entrance of the river, which goes a considerable distance inland. It is from here that slaves are shipped to St. Thomas on the Line.

With regard to the much-vexed slavery question it may be stated with truth that slaves can be bought and sold still in the provinces of the Portuguese colonies. In 1878 the Portuguese Government abolished the slave trade in all their possessions, but means were found to carry on the traffic under another name. What really goes on in the Portuguese dominions on the southwest coast is as follows: The Portuguese possess the island of St. Thomas on the Line, the capital, Santa Anna, being only 21½ miles north of the equator, and also Princes Island, where there are no aborigines, and where most valuable land, capable of producing any kind of crops, is unable to be cultivated unless labor is imported. They have got over the difficulty by importing what they call "colonials."

At Catumbella, some 7 miles north of Benguella, the natives are brought down by agents from the interior, the agents stating that they are natives freed from the slavery which they were in to their own chief; in fact, they are only bought from the chiefs, the retail price being about £7 each. They are brought in lighters to Benguella to Catumbella, and then taken to Loando, in the Portugese mail steamer, where a certain form is gone through. Their names, ages, and descriptions are taken by the Government officials, and they are asked a number of silly questions, such as, "Are you hungry?" "Have you had anything to eat?" or, "Do you want any food?" in order that the affirmative "yes" may be elicited, and put down as declaring their willingness to go and labor at St. Thomas for five years. The Government officials, of course, get their fees for each contract. Then the agent proceeds to ship these negroes by Portuguese mail boats from Loando to St. Thomas on the Line. The negroes are provided with a wooden spoon, and, I believe, some tin platters, and a certain amount of cotton stuff for clothing; then they are examined by a doctor, and shipped off as deck passengers to St. Thomas. In the steamer by which I came home there were 82 of these African natives, men and women, on their way to the island. If the women are good-looking they become the mistresses of the Portuguese planters; if they are ugly they go into the fields and work. They are paid about 2 pence a day, and provided with food and lodging.

The great curse of the system is that any planter, after he has received his consignment of black laborers, can go down to Santa Anna, the capital of St. Thomas, and recontract these natives, without consulting them, for another term of five or seven years. That this is virtually slavery can not be denied. The natives, when laboring at St. Thomas, are treated well, but none of them ever see Africa again. It is not exaggeration to say that this rule is invariable. They suffer very much from nostalgia (homesickness), and go to St. Thomas only to work and die. These are bare, unvarnished facts.

We will now endeavor to find the best and most efficient means of stopping this traffic in human flesh. If Her Majesty's gunboats on the coast had orders to board all lighters and Portuguese steamers coming from Catumbella—an action which I believe they have a perfect right to take—and demand any papers relating to any natives on board such lighters or steamers, the traffic would, in my opinion, cease at once. Coolie labor to the Brazils was stopped at Macao, west of Hongkong, and there is no reason why it should not be stopped here. Of course the Portuguese would say that these "contracts" were fair transactions between themselves and the natives; that the latter are not really slaves, but are paid laborers' wages and contract themselves of their own free will. And they would also say, and with truth, that if "colonials" for St. Thomas were stopped, everybody in that island would be ruined.

With regard to the domestic slavery that exists in Portuguese Angola and adjacent provinces, I must quote the words of the late Joachim J. Monteiro, who for many years was engaged in mining work and trading on the coast of Angola:

"There is very little cruelty attending the state of slavery among the natives at Angola. I believe I may say even in the greater part of the rest of tropical Africa, but I will restrict myself to the part of which I have an intimate knowledge. It is a domestic institution, and has existed as at present since time immemorial, and there is no more disgrace or discredit in having been born of slave parents, and

consequently in being a slave, than there is in Europe in being born of the dependents or servants of an ancestral house and continuing in its service in the same manner.

"There is something patriarchal in the state of bondage among the negroes if we look at it from an African point of view (I must again impress upon my readers that all my remarks apply to Angola and the adjacent provinces). The freeman or owner and his wife have to supply their slaves with proper food and clothing, to tend them in sickness as their own children, to get them husbands or wives, as the case may be, supply them with the means of celebrating their festivals, such as their marriages, births, or burials, in nearly the same way as among themselves. The slaves in fact are considered as their family, and are always spoken of as "my son" or "my daughter." If the daughters of slaves are chosen as wives or concubines by their owners or other freemen it is considered an honor, and their children, though looked upon as slaves, are entitled to special consideration. There is consequently no cruelty or hardship attending the state of slavery. A male slave can not be made by his master to cultivate the ground, which is woman's work, and the mistress and her slaves till the ground together. A stranger set down in Angola and not aware of the existence of slavery would hardly discover that such an institution prevailed so universally among them, so little apparent difference is there between master and slave. A not very dissimilar condition of things existed in feudal times in England and other countries."

With regard to my own personal observations and experiences on the coast I fully indorse what Mr. Joachim Monteiro says. Of course I have heard of cruelties practiced by masters on their slaves, but cases of cruelty are really few and far between. Although I totally disapprove of the practice of exporting slaves from their own country, yet the negro, pure and simple, when he is clothed, fed, and to a certain extent civilized in domestic slavery, is a great deal better off than when working in his own native village, and I believe if consulted would say a great deal happier. This I hope will explain the actual state and status of slavery and slaves in the Portuguese possessions in southwest Africa.

[Copy of correspondence of the Manchester Chamber of Commerce and the secretary of state for foreign affairs.]

TRADE ON THE RIVER CONGO.

CHAMBER OF COMMERCE,
Manchester, May 30, 1881.

MY LORD: The interest which Great Britain has so long taken in the extension and welfare of the trade with Africa induces the chamber of commerce of Manchester to address Her Majesty's Government whenever it feels that British influence there is being weakened and that commerce is in any way restricted.

In 1876 this chamber had occasion to appeal to Her Majesty's Government relative to pretensions put forward in Lisbon, and to a proclamation issued by the governor-general of the Portuguese settlement, St. Paul de Loando, for the purpose of assuming rights of sovereignty and of affecting the freedom of trade and navigation of the river Congo, and in the adjacent territories, between latitude 5° 12′ and 8° south. At that time Her Majesty's Government made such representations to the Government of Portugal that this proclamation was immediately canceled, and the governor-general of St. Paul de Loando was instructed to return to the status quo and afford every facility to commerce.

Until lately Portugal has not attempted to interrupt the progress of British commerce in that part of west Africa.

Under the rule of the native chiefs peace has prevailed, the slave trade has been abandoned, and commerce has been rapidly extending. Merchants have purchased property and sunk considerable capital in the Congo and the adjacent territory, believing that Her Majesty's Government could assist them when in difficulty, and that Great Britain would never give her sanction to any attempt on the part of Portugal to interfere with her trade.

In addition to the monthly mail to the southwest coast of Africa, two firms have steamers running there regularly, and several coasting steamers are permanently employed in this trade.

His Majesty the King of the Belgians has, during the last two years, incurred considerable expense in an expedition to the Upper Congo for the purpose of opening roads, establishing stations for trade, and for communication with the vast tribes inhabiting the interior of Africa. For the result of this expedition merchants are watching with interest, believing that this river will ultimately become one of the great highways for trade in the heart of Africa.

The chamber has not been able to obtain any reliable estimate of the value of the trade of this part of Africa with Great Britain, especially because a large amount of British manufactures intended for the trade is exported to France and to Holland for reexportation from these countries to Africa; but the industry of Lancashire has so large a share of this trade, both direct and indirect, that it views with anxiety any attempt to put restrictions upon it.

The Chamber of Commerce of Manchester has learned that Her Majesty's Government has been lately requested to concede to Portugal the claims put forward by her to the Congo and to the territory between latitudes 5° 12′ and 8° south. The Lisbon Commercio de Portugal of the 20th instant states that negotiations will shortly be opened for determining the basis of a treaty with Great Britain guaranteeing to Portugal the exclusive possession of the territory between the Ambris and the Congo. The alarm felt by British merchants and by this chamber is justified by other statements which arrive from Africa regarding missions of naval and military Portuguese officers, both to the King of Congo and to the chiefs of Cabendo and of the adjacent territory. More than once during the last seventy years Portugal has attempted to establish her pretensions to the Congo and to the territory named north of 8° south latitude, and not only has the Government of Great Britain always refused to acknowledge such claims, but has resisted by armed force each attempt of the Government of Portugal to interfere with native rule and with the rights of British merchants. In November, 1853, Her Majesty's foreign minister, Lord Clarendon, wrote as follows to the Portuguese minister in London:

"It is, therefore, both manifest and notorious that the African tribes who inhabit the coast line claimed by Portugal, between 5° 12′ and 8° south latitude, are in reality independent, and that the right acquired by Portugal from priority of discovery at the end of the fifteenth century has for a long time been suffered to lapse, owing to the Portuguese Government not having occupied the country so discovered. In the presence of these facts the undersigned must repeat the declaration of Her Majesty's Government that the interests of commerce imperatively required it to maintain the right of unrestricted intercourse with that part of the coast of western Africa extending between 5° 12′ and 8° south latitude."

The advent of the Portuguese Government to the Congo and to the adjacent territory would not only disturb the peace of the country, but it would cause the ruin of the trade and blight all hopes of increased intercourse and commerce with the tribes of the interior. Therefore the Chamber of Commerce of Manchester respectfully prays that Her Majesty's Government will maintain toward Portugal the same attitude which has been adopted by previous British Governments, and that British merchants may receive such assurance as will enable them to continue, without hesitation or interruption, the extension of their trade, which each year is becoming more valuable to this country.

This chamber is also desirous of urging upon the consideration of Her Majesty's Government its anxiety regarding the action of European powers in making exclusive treaties, which interfere with free trade and navigation in Africa. It has been informed that a treaty has been concluded between the French Government of Senegal and the King of Sego, on the Niger, excluding all other nations from trade in that country and from navigation on the Niger from its sources to Timbuctoo. Although the trade at present existing may be small, traders from Gambia have for many years been in direct communication with the natives of the Sego country. It is within 400 miles of the British possessions of Gambia and Sierra Leone, and the sources of the Niger are within 200 miles of British territory.

Hitherto the trade of Great Britain with western Africa has been carried on mainly on the seacoast, but her trade is gradually extending into the interior, and the farther merchants penetrate inland the more they find the natives industrious and desirous of peaceful intercourse and trade. The interference of Her Majesty's officers is seldom required, but more frequent visits on their part to the different trading stations would be of advantage, as British merchants feel that the nature of African commerce does call for protection and fostering attention from their Government.

A large amount of capital is now invested in the trade of the different rivers on the west coast of Africa, and the industry of this district has a considerable interest in its prosperity. This chamber would therefore view with deep concern countenance given by Her Majesty's Government to any action of foreign powers which might tend to interrupt the free course of trade or to weaken the influence or the prestige of Great Britain with the natives of Africa.

I have the honor to be, my lord, your lordship's obedient, very humble servant,

JOHN SLAGG, *President.*

The right honorable the Earl GRANVILLE, K. G., etc.,
Secretary of State for Foreign Affairs, Foreign Office, London.

FOREIGN OFFICE, *June 30, 1881.*

SIR: I am directed by Earl Granville to acknowledge the receipt of your letter of the 30th ultimo, containing representations as to the action of certain European powers in Western Africa, with special reference to the claims put forward by Portugal to the territory lying between latitude 5° 12′ and 8° south, and to a treaty said to have been concluded between the Government of Senegal and the King of Sego on the Niger, and I am to inform you in reply that your communication shall receive due consideration.

I am, etc.,

T. V. LISTER.

The PRESIDENT OF THE CHAMBER OF COMMERCE, *Manchester.*

To the right honorable the Earl GRANVILLE, K. G., etc.,
Her Majesty's Secretary of State for Foreign Affairs.

The memorial of the directors of the Manchester Chamber of Commerce, by their chairman, respectfully showeth—

That your memoralists desire respectfully to bring under your lordship's consideration the important interests of Great Britain in the trade of the southwest coast of Africa, and more especially in the commerce with those native countries where its interests are threatened under pretensions put forward by European powers, and through exclusive treaties being made with native chiefs by officers of the Government powers.

That the suppression of the slave trade in Western Africa has permitted England to withdraw its fleet almost altogether from that coast, but as legitimate commerce has supplanted the former nefarious traffic, so has the necessity increased for Great Britain to maintain friendly relations with the native chiefs and to exert a civilizing influence over African states, whereby the commerce of England in Western Africa will be fostered and rapidly extended. This chamber has previously addressed Her Majesty's Government on occasions when the freedom and welfare of the trade of Great Britain appeared to be threatened, and only recently communicated its views relative to claims put forward by Portugal, on that country assuming exclusive rights on the river Congo and over the bordering states. The recent expedition of the International Society, under Monsieur de Brazza, an officer of the French Government, and the publication of a treaty entered into for the annexation to France of territory on the Congo will, as your memorialists would humbly submit, justify a further representation regarding the future freedom of the trade of those regions.

Although Her Majesty's consul on the southwest coast of Africa, who resides at St. Paul de Loando, has jurisdiction over the native states to the north of the Portuguese possessions, he has not at his disposal the means of watching over British interests where his presence is most needed, and especially on the Congo, and at those ports where trade flourishes under native rule along a coast of over 500 miles in extent.

This chamber would, therefore, respectfully pray that your lordship will favorably consider the necessity for the appointment of a resident British consul or consular agent, whose duty shall be essentially that of watching over the interests and trade of Great Britain on the Congo and on the neutral coasts between the French and Portuguese possessions, and in order that he may be able to visit frequently and to maintain constant communication with the natives of different tribes, and at all times to keep Her Majesty fully informed regarding the condition and progress of trade, this chamber would venture to suggest the important advantages to be derived by a steamer or gunboat being permanently stationed on the southwest coast and placed at the disposal of the consul or consular agent appointed there. By this means respect will be insured for the Government and for the commerce of Great Britain, and both English merchants and native traders will know that from Her Majesty's representative they can at all times seek for advice in any difficulties or disputes which may arise.

Through the important discoveries during recent years on the Congo and on its tributaries greater interests than those of the industry of Lancashire, and of even the trade of Great Britain, are becoming involved. Europe now seeks to promote the civilization and enlightenment of Central Africa, and to extend peaceful intercourse with its vast populations. Great Britain stands among the first countries to reap the advantages of this development of trade, and the Chamber of Commerce

at Manchester would be among the foremost to submit for the consideration of your lordship the important prospective interests at stake.

Your memorialists would therefore pray that the earnest endeavors of Her Majesty's Government may be directed toward promoting a friendly understanding with the respective Governments of Europe and of the United States, in order that the sovereign and territorial rights of the Congo and of the adjacent neutral territories may be respected and maintained, and that in future there shall be no interference on the part of any power with the existing freedom of navigation and commerce on that river and its tributaries.

And your memorialists will ever pray.

GEORGE LORD, *President.*
THOMAS BROWNING, *Secretary.*

MANCHESTER, *November 13, 1882.*

CHAMBER OF COMMERCE,
Manchester, January 29, 1883.

MY LORD: On the 13th of November last this chamber addressed to your lordship a memorial on the affairs of the southwest coast of Africa, praying more especially that the earnest endeavors of Her Majesty's Government might be directed toward promoting a friendly understanding with other powers in order that the sovereign and territorial rights of the natives of the Congo and the adjacent neutral territories might be respected and maintained. The chamber has not been favored with any reply to this memorial, but, since last addressing your lordship, has learned that Her Majesty's Government has received, and views with favorable consideration, proposals from the Government of Portugal to the effect that on certain concessions being made by her she shall be allowed to annex the whole of the native territory lying between latitude 5° 12′ and latitude 8° south, including the river Congo. If the sanction of Her Majesty's Government be given to such annexation, the policy of Great Britain during the whole of this century will be reversed, and the greater part of the trade now conducted on the southwest coast of Africa must fall under the control of Portugal. It is scarcely necessary to remind your lordship that although Portugal has for centuries held 700 miles of coast line of adjacent territory on the west coast and 1,200 miles on the east coast of Africa, she has not yet succeeded in developing any important legitimate trade, nor even civilization, in her African possessions; and this chamber can not but feel that her present pretensions are being urged upon Her Majesty's Government in a great measure because Portugal sees that the real and substantial progress of trade which has been going on during the past thirty years extends over this small strip of territory to the north of her dominions. Also, since the discovery of Mr. H. M. Stanley of the importance of the river Congo, Portugal fears that the future commerce of the interior of Africa will pass through channels where civilization is extending, and where there is no hindrance to the freedom of trade and navigation.

The chamber would call the attention of your lordship to the British customs returns, which show that the average direct exports of Great Britain to the whole of the Portuguese possessions both in East and West Africa, extending over 1,900 miles of coast line, have not exceeded during the past eight years (1874–1881, inclusive) £180,000 per annum; while it is estimated by merchants engaged in the trade that there are exported annually three times that amount of British manufactures solely to the Congo and the adjacent native territory. It is to the annexation of the banks of this important river and outlet from the center of Africa, and to the sole control over this branch of British trade, that the sanction of Her Majesty's Government is now sought by Portugal. Although this chamber has on several previous occasions prayed Her Majesty's Government not to recognize these pretensions of Portugal, it would fail in its duty to the important interests which it represents were it to delay submitting to your lordship a respectful but earnest protest against the recognition by Her Majesty's Government of any annexation of the native territories both on and adjacent to the Congo, and also against the sanction of Her Majesty's Government being given to the slightest interference with that complete freedom of navigation and commerce which for many years has been, and is still, enjoyed by British merchants in Western Africa.

I have the honor, etc.,

GEO. LORD, *President.*

FOREIGN OFFICE, *February 3, 1883.*

SIR: In acknowledging the receipt of your letter of the 29th ultimo, relating to the position of affairs on the Congo, I am directed by Earl Granville to express to you his regret that, by inadvertence, no acknowledgment was sent to you of your

letter on the same subject of the 13th of November last, and to inform you that your observations will receive due attention.

I am, etc.,

T. V. LISTER.

To the SECRETARY CHAMBER OF COMMERCE, *Manchester.*

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This brings us down to the present month, during which some questions on the subject have been asked in the House of Commons by the Right Honorable Robert Bourke, and in the House of Lords by Lord Mount Temple. I think it is important to people interested in the Congo to have the whole of Lord Mount Temple's question, and also the whole of Earl Granville's reply, given on March 9 instant.

THE CONGO.

"Lord MOUNT TEMPLE. I wish to ask the secretary of state for foreign affairs whether it is in the contemplation of Her Majesty s Government to recogni e the claim of Portugal to dominion over the territory adjoining the river Congo; and, if so, whether he has reason to anticipate that the policy that has hitherto prevailed in that territory will be reversed in regard to the slave trade and freedom of commerce? I have been prompted in this matter by the alarm of the manufacturers and merchants concerned in the trade of this district. They are of the opinion that if the Portuguese should succeed in exercising a sovereign jurisdiction over the native tribes of that country, the restrictive and interfering policy which has hitherto been characteristic of the Portuguese Government would seriously interfere with the existing trade, and would also prevent that full development of it which is now anticipated. There is every reason to believe that hereafter the river Congo may become the great highway of the inland tribes, who are industrious and peaceful, and ready to enter into commercial relationship with Europeans.

"Earl GRANVILLE. I am glad that the noble lord has put this question, because I hope it will enable me to put an end to misapprehensions which seem to exist, and which, to a certain extent, are shared by himself as to this important matter. It appears to be supposed by some that Her Majesty's Government propose to give up a vast extent of territory which belongs to this country, with some vague hope that the Portuguese will furnish an obstacle to the ambitious designs of other powers. The noble lord is not misinformed to this extent, but even he has considerable misapprehensions on the subject. I do not think it is unnatural that those who have taken a great interest, either in the question of slavery or in the question of religious efforts, or of questions of trade and commerce in these countries, should feel most sensitive with regard to any proceedings that are likely to be taken. It is not so very long ago that the interests of Europeans on the Congo and other African rivers were centered in the desire of monopolizing the slave trade. It would be a great glory for this country that she took the lead in reversing this policy, and leading the way to a suppression of this abominable traffic. But a great change has come over the African question. The labors of men like Livingston, Stanley, and others have given us a knowledge of the physical character of central Africa, and of the populations which inhabit it, showing that there are great capabilities for the development of trade, and of the civilizing effects which are the result of commerce. The work of the Philanthropic International Association, in which the King of the Belgians takes a great interest, the mission of M. de Brazza, the increasing trade in different degrees of the English, the Portuguese, the French, the Germans, the Dutch, and the Belgians, on the Congo and its banks, are acting as a stimulus and afford grounds why no reasonable endeavors should be neglected to insure freedom of commerce and navigation, and to anticipate possible jealousies, which so easily check trade, and which, under the pretense of securing peculiar advantages to some, are really injurious to all. There is much now which is not satisfactory on the Congo. In those territories which we acknowledge to belong to Portugal complaints are made of high duties, of a differential treatment of the foreign and Portuguese flags, of arbitrary fines, and other vexations, greatly impeding commercial intercourse. On the Congo itself the Portuguese declare that the slave trade is entirely at an end, and there can be no doubt that it is greatly diminished—partly owing to the cessation of the trans-Atlantic demand for slaves, partly to a change of policy on the part of the Portuguese Government. There are territories on the Congo to which the Portuguese lay a claim in the most solemn manner in which it is possible for a nation to put it forward by diplomatic declarations and by legislative enactments, but which have been as constantly repudiated and

resisted by us as a matter of right. Successive secretaries for foreign affairs have stated that the fear of encouraging the slave trade and the danger of interference with our commerce were the political reasons which induced them to lay further stress on the matter of right.

"The existing state of these territories is unsatisfactory as regards the present and the future. It is true that there are many respectable firms who manage to act fairly and harmoniously with the natives. But it can not be denied that there is no acknowledged jurisdiction; that in places anarchy prevails; that there are cases of practical slavery, of cruelty, and then of retaliatory outrages without any opportunity for redress. It became thus a matter of some urgency to consider whether, without abandoning our position as to the matter of right, the political objections to which I have alluded could in any way be met. An important interchange of views took place in 1881 between our minister, Mr. (now Sir Robert) Morier and M. de Serpa, who initiated it. Last October M. de Serpa renewed this conversation. The chief object of Her Majesty's Government in assenting to the renewal of the conversation was stated by me to be to secure the abolition of slavery and the civilization of Africa by the extension of legitimate commerce. The Portuguese Government declared in still more emphatic terms that their objects were the same. They gave proof of their being in earnest by expressing their assent to the perfectly free navigation, not only of the Congo, but of other African rivers which are arteries of trade, and agreed, not only to establish in the territories which we have not recognized as belonging to Portugal, but in all the African possessions of Portugal, the liberal commercial system which was established in 1877 in Mozambique.

"The general principles of the agreement do not offer any difficulty; but I am far from being sure of coming to an understanding on all of the conditions, which, in our view, are indispensable. It may be convenient that I should state what appear to us to be essential points. I need not say that the agreement as to dealing with slavery must be complete. Secondly, it is necessary there should be complete security that undue burdens which do not now exist should not be placed in any part of the Portuguese possessions upon missionaries, shipowners, or traders. I said that it was supposed by some that we are giving away boundless territory which belonged to us.

"We do no such thing. What we propose is that, without receding from the position of legality as to the right which is claimed, we should agree on the conditions which I have stated, together with some arrangements of a satisfactory character as to Whydah, to withdraw our objections for the future to Portuguese jurisdiction within certain defined geographical limits. This engagement ought not to be merely of a bilateral character. We will give our whole support to Portugal to obtain a similar assent from other powers.

"I am far from being certain that these negotiations will be successful, but if a good treaty is obtained—and a bad one would be worse than nothing—I believe we shall strengthen the general principle of freedom of navigation and commerce on the great rivers of the world, and that in Africa itself we shall greatly advance the interests of civilization and commerce. It has been asked what security shall we have that the Portuguese will observe the conditions of any treaty? This is an argument which, if valid, is fatal to all treaties. [Hear, hear.] It would be unbecoming in my position to admit that this result would be likely to happen; but admitting it hypothetically, I would ask how we should have less moral and physical power to enforce the conditions of a treaty to which Portugal has consented than that by which we now resist the claim of sovereignty which Portugal so thoroughly asserts. It would be wrong of me to go into great details on matters which are under negotiation, but I trust that the statements which I have made of the general character of the negotiations will be sufficient to enable this house to judge of the principles on which Her Majesty's Government are acting. [Cheers.]"

* * * * * * *

At the present time the Portuguese have no rights or sovereignty north of the river Loge, latitude 7° 50' south (approximate), so nostrando parte du Congo has no existence within the boundaries of their present southwest African colonies. In truth, "our part of the Congo," as they euphoniously call it, is quite neutral, and the merchants trading therein protected by the English gunboats on the station.

Portuguese rule, if allowed, means utter confusion and vexatious delays in mercantile business, and also local taxation which no treaty, if entered into, could possibly cover. I wish to most emphatically impress upon my readers this fact of local taxation; and all the promises Portugal may make they will find means to break, once that any capital is launched in the territories they now claim and would hold.

At the capital of Portuguese West Africa (St. Paul de Loando) the municipal government are bankrupt, and very often there is not enough money to pay the employees' wages. The Bank Ultramarino refuses to lend the town any money, as there is no security available to offer. A more wretched state of affairs can scarcely be imagined.

The monopoly given to the Quanza Steam Navigation Company paralyzes the trade in that river instead of largely opening up its very wide resources.

One might adduce many more rather less striking examples of Portuguese misrule and short-sighted government; but my English readers must be rather astounded at the fact that domestic slavery exists in the African colonies of Portugal, and that "colonials," or rather, in other or plainer words, slaves, are shipped every month from Catumbella to labor and die at St. Thomas on the line.

All these plain and unvarnished facts, which have come under my own personal notice, show what sort of things go on where Portugal ruins and rules her African territories.

I consider that if England were to acknowledge the claims of Portugal, the latter once established would seek in every way to evade the terms of any treaty that might be entered into. Former facts go to prove this.

In fact, the British merchants interested in the west and southwest coast trade pray that Portugal may be prevented from encroaching in any way whatsoever on the now neutral and independent territories, where the natives are tranquil and well disposed, and where the greatest of all civilizers, English free trade, flourishes.

TREATY OF VIVI.

M. August Sparhawk, agent of the International Expedition of the Upper Congo, acting in the name and for account of the Comité d'Études of the Lower Congo, and Vivi Mavungu, Vivi Mku, Ngusu Mpanda, Benzane Congo, Kapita, have come together the 13th of June, 1880, at the station Vivi, in order to discuss and to decide upon certain measures of common interest.

After full examination they have arrived at the dispositions and engagements which are embodied in the present treaty, to wit:

ARTICLE 1. The aforesaid chiefs of the district of Vivi recognize that it is highly desirable that the Comité d'Études of the Congo should create and develop in their states establishments calculated to foster commerce and trade, and to assure to the country and its inhabitants the advantages which are the consequence thereof.

With this object they cede and abandon, in full property, to the Comité d'Études the territory comprised within the following limits: To the west and north and east the left banks of the river Lulu, and to the south the districts of Kolu and Congo.

ART. 2. The chiefs of the district of Vivi solemnly declare that these territories form an integral part of their states, and that they are able freely to dispose of them.

ART. 3. The cession of the territories specified in the last paragraph of article 1 is consented to in consideration of a present represented by the following articles and goods to each one: A uniform coat, a cap, a coral necklace, a knife; and a monthly gift to Vivi Mavungu of two pieces of cloth; to Vivi Mku of one piece of cloth; to Ngusu Mpanda, one piece of cloth; to Benzane Congo, one piece of cloth; to Kapita, one piece of cloth.

ART. 4. The cession of the territory includes the abandonment by them and the transfer to the Comité d'Études of all sovereign rights.

ART. 5. The Comité d'Études engages itself expressly to leave to the natives the free enjoyment of the lands which they now cultivate to supply their needs. It promises to protect them and to defend their persons and their property against aggressions and encroachments, from whatsoever side, which shall attack their individual liberty or shall seek to take away from them the fruit of their labors.

ART. 6. The chiefs of the district of Vivi grant, besides, to the Comité d'Études—

(1) The cession of all the routes of communication now open to or to be opened throughout the whole extent of their states. If the comité deems it proper it shall have the right to establish and levy for its own profit tolls upon said routes to defray the expenses incurred in their construction. The routes thus opened shall embrace, besides the routes properly so-called, a breadth of twenty meters right and left therefrom. This breadth constitutes part of the cession, and shall be, like the route itself, the property of the Comité d'Étude.

(2) The right of trading freely with the natives who form part of their states.

(3) The right of cultivating unoccupied lands; to open up the forests; to cut trees; to gather india rubber, copal, wax, honey, and generally all the natural productions which are found there; to fish in the rivers and streams and watercourses, and to work the mines.

It is understood that the comité can exercise the several rights mentioned in the third paragraph throughout the whole extent of the states of the chiefs of Vivi.

7. The chiefs of the district of Vivi undertake to unite their forces to those of the comité to repel attacks which may be made by intruders, no matter of what color.

The chiefs, not knowing how to sign, have put their marks, in the presence of the witnesses hereafter designated and who have signed.

[SEAL.] AUG. SPARHAWK.
[SEAL.] JOHN KICKBRIGHT.
[SEAL.] FRANK MAHONEY.
[SEAL.] GEOFFREY.

TREATY OF LÉOPOLDVILLE.

29TH OF APRIL, 1883.

We, the undersigned, chiefs of the district of N'Kamo, of Kuiswangi, of Kimpe, and of all the districts extending from the river Congo to Léopoldville and to Ntamo, up to the river Lutess and the mountains of Sama Sankori, have resolved to put ourselves, as well as our heirs and descendants, under the protection and patronage of the *comité d'études* of the Upper Congo, and to give power to its representative at Miamo to regulate all disputes and conflicts that may arise between us and foreigners of whatsoever color, residing out of the district or territory of N'Kamo, in order to prevent strangers, animated by wicked intentions or ignorant of our customs, from exciting embarrassments or endangering the peace and security and independence which we now enjoy.

By the present act we also resolve to adopt the flag of the *comité d'études* of the Upper Congo, as a sign for each and all of us that we are under its sole protection.

We also solemnly and truly declare that this is the only contract we have ever made, and that we will never make any contract with any European or African without the concurrence and agreement of the *comité d'études* of the Upper Congo.

To the above resolution we freely put our marks.

NGALIEMA, his × mark.
MAKARI, his × mark.
NUMBI, his × mark.
MANWALE, his × mark.
NYASKO, his × mark.

TREATY OF MANYANGA.

During the *palabre* held at Manyanga the 12th of August, 1882, it is agreed between the members hereinafter designated of the expedition of the Upper Congo—

Dr. Edward Pechuel Loesche, chief of the expedition;
Capt. Edmund Hanssens, chief of the division of Léopold-Manyanga;
Lieut. Arthur Niles, chief of Manyanga;
First Lieut. Orban, deputy chief of Manyanga;
Edward Ceris, assistant of Pechuel, representing the *comité* of the Upper Congo; and the chiefs hereafter named of Manyanga—
Makito, of Kintamba;
Nkosi, of Kintamba;
Filankuni, of Kintamba;
Maluka, of Kintamba;
Kuakala, of Kintamba;
Mankatula, of Kintamba-Kimbuku;
Luamba, of Kintamba;
In the name of their subjects.

ARTICLE I. Hereafter the territory of Manyanga, heretofore belonging to the chiefs before cited, situated north and south of the river, and bounded on the west by the stream Luseto, and by the stream Msua Mungua on the east, shall be the sole property of the *comité d'études* of the Upper Congo.

ART. II. The chiefs and their subjects, their villages, their plantations, their domestic animals, and fishing apparatus shall be placed under the protection of the expedition.

ART. III. In all political affairs of the populations of the district protected and acquired, their quarrels, differences, elections of chiefs, shall be submitted to the decision of the member of the expedition who shall be present at the station.

If the people of Manyanga shall be attacked by neighboring tribes, the expedition shall defend their women and children and their property by all the means in their power. If the expedition shall be attacked by another tribe, the men shall be bound to defend the station.

ART. IV. In consequence of the rights acquired and protection afforded, no stranger whatsoever can build or open a road or carry on commerce in the territory of Manyanga.

ART. V. At the request of the chief of the station, the chief of the district shall put at his disposition the necessary number of laborers—men or women—for the work of the station and the service of the caravans.

ART. VI. Besides the sum stipulated, which has been remitted in goods to the assembled chiefs in payment for their territories, and for which they have given a receipt, the chiefs shall receive monthly presents on condition that they remain true friends and voluntarily perform the services asked of them.

ART. VII. The first chief of Manyanga, Makito, residing at Kintamba, receives the flag of the expedition, which he will raise in his village in sign of the protection exercised by the expedition.

(Here follow the crosses and signatures.)

TREATY WITH THE KING OF NIADI.

Stephanieville.

Between, on the one side, Captain John Grant Elliott, commissioner and representative of the *comité d'études* of the Upper Congo, and, on the other hand, King M'Wuln M'Boomga, King of Niadi, in his own name, and in that of his heirs and successors, the following contract has been made and signed in the presence of the witnesses whose signatures are below given:

ARTICLE I. The party first named engages himself to make to the second party named above an immediate payment of 60 yards of *savelist*, 20 pieces of superior stuffs, 8 pieces of ratteen stuff, and a keg of powder. He, moreover, engages to make to the above-named party of the second part, his heirs and successors, a monthly payment, which shall commence in four months, with arrears from the date of this contract, of four pieces of stuffs, and to continue always this payment, if in compensation therefor, the party of the second part, in his name and in that of his heirs and successors, makes an absolute and immediate sale of a certain portion of territory sketched further on, described in Art. 2, the territory selected by the first-named party, and over which the flag of the *comité d'études* of the Upper Congo, that is to say, a blue flag with a yellow star in the center, has been raised.

ART. II. The country ceded by the above-named article is described below, and accepted by the contracting parties, Captain John Grant Elliott and the King.

1. Six miles towards the west, from the junction of the Niadi and the Ludema, and following the banks of the Niadi (Niari).

2. Ten miles from the same confluence, towards the south, and following the banks of the Ludema.

3. Ten miles towards the east, from the confluence above named, and following the course of the Niadi (Niari).

4. Ten miles towards the south, from the same confluence, and following the Ludema.

5. Ten miles to the north of the Niadi (Niari), on each side of that point of the Niadi opposite the mouth of the Ludema, running back five miles towards the north.

GRANT ELLIOTT.
WULN M'BOOMGA.

Witnesses:
VON SHAUMANN.
LEGAT.
DESTRAIN.

Table of treaties, and of the stations created by the International Association of the Congo, and which form the chief places of the States possessed by this Association on the Congo and on the Niadi Kuiloo.

No.	Names of stations.	Names of treaties and of districts ceded.
I	Vivi	Vivi. Yellala. Sala Kidougo. Ganghila. Sadika Banzi. Ingha. N'Sanda. Kionzo. N'Bambi M'bongo. Talaballa.
II	Issanghila	Issanghila. Ndambi M'bongo. M'Kelo. Fua na Sondy. Konimovo M'Bongo. Yanga. Kamsalou. M'binda. Sakali Boadi. Tchouma Ranga. Tombukile. Ngoma. N'Zadi. Tchincala.
III	Manayanga	Banza ngombi. Manayanga. Bandanga. Banza. M'Bou.
IV	Lutete	Sello. Loufountchou. Kimbanda. Ngombi.
V	Léopoldville	Léopoldville. Kimpoko. Kinshassa. Kintambou. Souvoulou. M'bala.
VI	Msuata	Woutimi (south). Woutimi (north). Msuata.
VII	Bolobo	Bolobo.
VIII	Rudolfstadt	Matchibouga. Tchissanga.
IX	Beaudoineville	Kitabi. Zientu. Mengo.
X	Franktown	Franktown. Goudou. Ganda. Fouindoukifout. Makouba Bnga. Sitambe. Bieba. Moyby. Matalila. N'Zombo. Ganda Kobombo. Mabuka.
XI	Stanley Niadi	Chinnifor. Mudenda. Nyange. Lubu. Zoa. N'Gewlla Chunikonbo. M'Gwella. Sangha. Charli.
XII	Stephanieville	Mikasso. Moulangas. Mackanga. Ludema. Ungoonga. Buconzo. Matenda. Tanga Dibiconga. Licarnga. Bumianga. Chibanda N'Kuni. Kingi.

Table of treaties, and of the stations created by the International Association of the Congo, etc.—Continued.

No.	Names of stations.	Names of treaties and of districts ceded.
XIII	Anvers	Anversland. Buda. Towha.
XIV	Gideema	Gideemba. Sushwangi.
XV	Lukolela	(This and the three following stations have been established, but the treaties not yet received).
XVI	Equateur	
XVII	Phillippeville	
XVIII	Bulangungu	
XIX	Mboka	(As to stations 19 and 20, treaties have been concluded, but their tenor is not known.)
XX	Mkula	
XXI	Grantville	(21 and 22 are secondary stations, intended to fill up the gap between the lines of the Kuiloo and the Congo.
XXII	Massabe	

FORTY-NINTH CONGRESS, FIRST SESSION.

March 24, 1886.

[Senate Report No. 275.]

Mr. Edmunds, from the Committee on Foreign Relations, submitted the following report:

The Committee on Foreign Relations, to which was referred on the 16th of December last the petition of J. I. Rodriguez in behalf of Mr. Cirilo Pouble, alleged to be a naturalized American citizen and to be imprisoned by the Spanish authorities in the island of Cuba on the charge of treason, etc., respectfully reports:

That it appears from the papers and correspondence in the Department of State that Pouble went to Cuba some time in November, 1884, and was there immediately arrested and imprisoned on the charge before mentioned, or charges of that character, and that down to the latest reports, about December, 1885, his trial had not been had. The committee is satisfied that the Department of State and the consul-general of the United States at Habana have exercised every practicable diligence and exertion to bring the case of Pouble to a speedy trial in conformity with the laws of Spain and with the treaty stipulations between Spain and the United States existing on the subject, and that every effort has been made by the Department and consul-general to make the situation of the accused as comfortable as possible, and to give him every practicable assistance.

The committee is of the opinion, therefore, that there is nothing that at present calls for any action on the part of the Senate or of Congress. If there should be much further delay in the trial of Pouble it will become a subject for very serious consideration on the part of the Government of the United States.

At present the committee asks to be discharged from the further consideration of the petition.

April 29, 1886.

[Senate Report No. 835.]

Mr. Sherman, from the Committee on Foreign Relations, submitted the following report:

The Committee on Foreign Relations, to whom was referred the bill

(S. 1991) supplementary to and amendatory of "An act to execute certain treaty stipulations relating to Chinese," approved May 6, 1882, as amended by an act to amend said act, approved July 5, 1884, having considered the same, beg leave to report it back with recommendation that it be amended as follows:

Strike out all of the first section, and in lieu thereof insert the following: "The words 'Chinese laborer' and 'Chinese laborers,' wherever used in this act or in the acts to which this act is supplementary or amendatory, shall be held to include and mean any laborer of the Chinese race, without regard to the Government to which such laborer may owe allegiance and without regard to the port, place, or country from which such laborer may come to the United States; and the words 'Chinese passenger,' wherever used in this act or the acts to which this act is supplementary or amendatory, shall be held to include and mean all persons of the Chinese race, without regard to the Government to which they may owe allegiance or the port, place, or country from which they may come to the United States."

Strike out of lines 109, 110, and 111 in section 3 the words "at any time within two years from the date of the issuance of the certificate, but not afterwards."

Strike out of lines 130, 131, 132, 133, 134, 135, 136, 137, 138, and 139 the words "That any person who shall knowingly and falsely alter or substitute any name for the name written in such certificate, or forge any such certificate, or knowingly transfer, utter, or have in possession, with intent to use the same, any forged or fraudulent certificate, or falsely personate any person named in any such certificate, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding one thousand dollars and imprisoned in a penitentiary for a term of not more than five years."

Strike out of lines 175 and 176 of said section 3 the words "at any time within two years from the date of the issuance of the certificate."

Transpose sections 4 and 5, so that section 5 shall become section 4 and section 4 shall become section 5.

Insert in line 7 of section 4 (transposed and now become section 5), after the word "upon," the following words, "his or her application, and upon;" strike out of line 9 of said section, after the word "laborer" and before the words "shall issue," the word "and;" strike out of lines 19, 20, 21, and 22 of said section the words "The purpose and effect of such certificate as evidence shall be the same as is provided in the cases of similar certificates issued to Chinese laborers;" strike out of line 22 of said section, after the word "certificate" and before the words "shall be," the words "as herein described;" strike out of line 22 of said section the word "the" which follows the words "shall be," and out of line 23 of said section the word "only" which precedes the word "evidence," and insert in lieu of the two words "the only," stricken out, the word "sufficient;" and strike out of lines 25, 26, 27, 28, 29, and 30 of said section the words "All the provisions relating to certificates issued to Chinese laborers, and to the parties to whom they are issued, and all the restrictions and limitations therein contained, shall be equally applicable to the certificate provided for in this section and to the parties to whom they are issued."

Insert, after the word "aforesaid," in lines 23 and 24 of section 7 of said bill, the following words: "But the provisions of this act shall not preclude a judicial inquiry into and determination of the right of any person to come into the United States."

Insert, in line 2 of section 8 of said bill, after the words "no master,"

the words "or other person in charge," and insert, in the said line, after the words "any vessel," the word "whether;" strike out of lines 3 and 4 of said section the words "a citizen of any foreign country," and insert in lieu thereof the words "an alien;" strike out of line 10 of said section the words "shall any person leave any foreign port or place and," and insert at the end of said section, and so that it may form a part thereof, the following: "Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall, for each passenger so taken on board and brought within the jurisdiction of the United States exceeding the number of one passenger to every 50 tons of the registered tonnage of such vessel, be fined $500, and may also be imprisoned for not exceeding six months. That the amount of the several penalties imposed by this section shall be a lien on the vessel violating the same, and such vessel shall be libeled therefor in the district court of the United States within which district such vessel shall arrive or be found."

Strike out all of section 9 of said bill, and amend the numbering of section 10 of said bill, so that it will read "Sec. 9;" insert in line 5 of said section, after the word "Government," the words "or any other Government," and after the word "thereof," in the said line, insert the words "or their body or household servants."

Amend section 11, so that the numbering thereof shall read "Sec. 10."

Amend section 12, so that the numbering thereof shall read "Sec. 11."

And the committee recommend that the bill as so amended do pass.

May 6, 1886.

[Senate Report No. 941.]

Mr. Frye, from the Committee on Foreign Relations, submitted the following report:

Your Committee on Foreign Relations, to whom was referred Senate bill 1616—a bill "to promote the political progress and commercial prosperity of the American nations"—have considered the same, and report the accompanying bill as a substitute therefor, with a favorable recommendation.

Your committee annex and make a part of their report the accompanying statements of the United States commissioners to South and Central America, made before them, together with certain extracts from the testimony taken by said commissioners in their investigation.

REMARKS OF S. O. THACHER BEFORE THE SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UPON THE BILL INTRODUCED BY HON. WILLIAM P. FRYE ENTITLED "AN ACT TO PROMOTE THE POLITICAL PROGRESS AND COMMERCIAL PROSPERITY OF THE AMERICAN NATIONS."

Mr. CHAIRMAN: The measure before the committee is in part the outgrowth of the act of Congress of July 7, 1884, providing for a commission to the States of Central and South America for the purpose of ascertaining the best modes of promoting more intimate international and commercial relations between those countries and our own.

Having filled, as well as I could, the position of commissioner under that law to those countries, you have kindly invited me to place before you the results of my observations so far as the same are applicable to the proposed legislation.

In the final report of that commission I have at some length endeavored to gather into a readable review the most obvious reflections flowing from the long journeys and many interesting interviews with the leading officials, merchants, and educated men in those parts. To what I have there said I now add such observations as seem to me pertinent to the question before the committee.

ITS IMPORTANCE IN SOLVING THE INDUSTRIAL PROBLEM.

The question before the committee is one whose magnitude and far-reaching importance can not be too earnestly considered.

It brings into view questions affecting our own welfare as a nation, casting light upon the solution of a grave and ever-urgent problem. The industrial outlook of our land is not one of entire sunshine. There are more laborers than there is work for them to do. Where one man is discharged from almost any of the manual occupations there waits one to take his place.

The inflow of laborers from other lands to this is no more a great need. In every department of industrial life there is production beyond consumption. Labor is struggling to hold its position and is fearful of being displaced or of losing its present ground. The products of farm, shop, and factory were never, within the memory of this generation, so low as they are now. In some branches of production there is a slight reaction from the paralysis of the past, but on the whole, as never before, our future growth, peace, and tranquillity depend on finding more consumers for what we have to sell. In this measure there is an effort to open to our producers of agricultural and manufactured wealth an adequate market.

In vain do we turn our eyes to any other part of the world for a people who at once need and are willing to take from our farms, looms, forges, and wells of mineral oils that we are able to produce and spare. The nations of Central and South America offer not alone the most alluring and most profitable markets whereby to relieve our excessive productions, but there is no other field.

The statesman who shall secure that great region so contiguous, so easily reached, and so prolific in wants, for the easy disposition of our merchandise will be entitled to the highest commendation.

Labor can be constantly employed at fair wages when what it produces can be sold at a fair profit. This condition failing, the whole fabric of society suffers alarm. There is no crying need of legislation to reconcile one element of our social progress with another when there is employment for all who are willing to labor at a remunerative compensation.

It seems clear to me that the relations between employer and employee will readily adjust themselves when the venture to which each contributes is one of gain and not of loss. And no law can produce harmony between labor and capital when the enterprise which enlists both proves disastrous.

The easy way and the only way out of the complications and disappointments that yearly are being intensified by the diminishing profitableness of all our industrial enterprises is to seek that market which so cordially invites us, and from which with strange fatuity we have for the last twenty-five years averted our thoughts.

The statistics time and again have been brought before the public, and have at much length been represented in the first general report of the commission to Central and South America, showing how dismally meager is our trade with those countries, which once were our well-pleased customers, and with whom we could most easily reestablish our former friendly and profitable relations. There is no need of enlarging on this point. It presses itself upon the thoughtful consideration of every lawmaker as well as upon the whole people.

A very interesting summary of our trade and that of other nations with Central and South America was published by the Treasury Department in January of last year. It is a brochure comprising statements Nos. 17 to 41, inclusive, of the quarterly report No. 1, series 1884–85, of the Chief of the Bureau of Statistics. Its preparation, Mr. Nimmo says, grew out of the recent demand for information by Senators, Representatives, and others interested in the trade of those countries. To the condensed statistics there presented I can not add anything of value except such statements as pertain to subsequent trade relations. These are not within my reach.

Peace, progress, and the manifold blessings of contented producing classes wait on the footsteps of any measure that shall insure to our laborers, our farmers, and our manufacturers a fair chance in the markets of Central and South America. To-day they are nearly closed against them. The causes of this denial to our people of an easy access to those natural depots for our surplus products have been set out very fully in the various reports the commission to those nations has sub-

mitted, and which I learn will in a few days be received by Congress from the Government Printing House. In them and in the many statements subjoined to each of them will be found the remedies for the deplorable state of trade in those parts.

Further on I will briefly advert to these causes. I only now state the fact.

INTERNATIONAL ASPECT OF THE MEASURE.

But the proposed measure rises to a higher plane than that of merely seeking a rich and permanent outlet for our surplus products. It proposes to secure the "political progress" as well as the "commercial prosperity" of those countries and our own. And yet in accomplishing this nobler end we shall certainly contribute to the success of the other.

I can not on this point say more than quote from the final report before mentioned:

"The scope of our mission, as defined by the act of Congress creating it, embraced an inquiry into 'the best modes of securing more intimate international and commercial relations between the United States and the several countries of Central and South America.'

"In the course of our inquiries we became convinced that it is quite as axiomatic that commerce derives support and promotion from friendly political relations as that trade quickens international unity. They mutually aid each other. Whatever tends to bring into kindly accord the diplomatic interests and aims of our country and those of our American neighbors, whatever unifies our national purposes, benefits commerce. Mutual confidences in matters of state foster equal trusts in business transactions. Peoples held together in close political relations naturally have a greater faith in the fidelity of the products of each other. Confidence lies at the basis of every business operation and of every national compact, and where it is found wanting in one it will not be strong in the other.

"Necessity or profit may force trade into a channel of a purely business character where international respect or fellowship is slight, but commerce flourishes much more naturally and vigorously under the protecting care of faithful and constant national harmony and concord. The disruption of friendship between nations is a disaster to their mutual trade interests. As we write this report the Spanish people, at home and in the colonies, are resolving against trade with Germany because of the supposed affront in the seizure of the Caroline Islands. Other things being equal, trade will be facilitated by warm international ties. Wise and just diplomacy will aid the merchant and trader as much, at least, as they in turn can promote friendly international relations."

OUR EXAMPLE FOLLOWED.

That nations exert an unconscious influence as well as individuals is remarkably illustrated in the history of the republics of Central and South America.

A people far removed from us by ethnic conditions and civil and religious training, dwelling in cities whose foundations were laid by Cortez, Alvarado, Pizarro, Valdivia, and Mendoza a century before Plymouth Rock and twice that period ere Bunker Hill and the Declaration of Independence, turned their eyes toward our great example and for themselves, after heroic sacrifice, destroyed the rule of the rapacious and exacting viceroy, severed the ties of colonial dependence, and erected on the ruins of foreign customs and impositions governments in imitation of our own.

OUR INDIFFERENCE.

Yet during all the subsequent years our country has, until recently, turned an icy look upon these struggling republics, and our diplomacy has been no whit warmer or more friendly toward them than it has toward the several despotisms of the Eastern Hemisphere.

While we have been a conspicuous propagandist of democratic institutions by our deeds of self-deliverance and aggrandizement, we have neglected to aid by sympathy and counsel those who were eagerly hoping for them.

Overtures for a more kindly fraternity have been treated by us with silence, and an effort on the part of these peoples to draw near to us in more rapid and certain communications have been met by cold indifference.

DESIRES FOR A CONVENTION.

The wonder remains that, notwithstanding all this neglect to cultivate and encourage those nations, they still admire our greatness and long for a nearer bond

of union and fellowship. Every line of the reports of the many conferences held by the commission with the representative men of those nations shows how fervently and with what glad surprise our overture for a convention of all the nations of the American Continent was welcomed.

ATTITUDE OF CHILE.

An exception may possibly be noted in the case of Chile. Yet I think that as that Government exhibited an unwonted desire to have realized two objects to be considered in such a conference and which can be more readily attained through it than in any other way, namely, the adoption of a common silver coin which shall be current in all the countries of the Western Hemisphere, and also the promotion of direct, speedy, and frequent steam navigation between the ports of North and South America. I conclude that at the proper time Chile will not only assent to such a convention, but will be represented there by men of large statesmanship.

It may be well to say that there were three things that gave to the mission to Chile less of warmth than it received in other States. Chile justly regards itself as the most important power on the South Pacific coast. In the interview I had with the President and his cabinet he remarked that the course his Government should take on the matters brought forward by me would be followed by the other powers of that coast and that consultation with them was needless. It happens that Chile was the last instead of the first nation visited on the Pacific. Again, the letter accrediting the commission mentioned three persons as being sent to Chile with the highest diplomatic rank. Of the three only one appeared. The President declined to recognize the telegraphic permission sent by Mr. Bayard to the secretary of the commission, Mr. Curtis, to act as commissioner for Ecuador, Peru, and Chile. Here, too, was a cause of irritation and some embarrassment. To this must be added, as I was informed by our minister, Mr. Logan, a certain coolness growing out of the apprehension that with the change of administration in our country would come an earnest effort by our Government to enforce upon Chile the payment of various claims of our countrymen for alleged losses suffered by them in the war between Chile and Peru. I believe to these apparently minor matters was owing the somewhat defensive and noncommittal attitude of Chile.

I have no doubt of there being present at the convention when called by our country representatives from every one of the Western powers and that these delegates will be men of great weight at home in all the matters affecting their foreign relations.

OPINIONS OF LEADING MEN.

To be persuaded of this I need only quote utterances of the public men of those lands on the relations that do or should obtain between their country and ours.

In 1879 the executive power of the Argentine Republic sent to Congress a message urging a subsidy to be granted to establish a line of steamers between the ports of the La Plata and our own. In it occurs the following passage:

"The executive power considers it useless to dilate on the considerations upon the advantages of a direct communication with the most powerful commercial and free nation that has best realized the forms of government that we have accepted, following precisely its example. This other market that opens itself is a new interchange for the men, the ideas, and the products."

The President of Chile, in responding to the address I made at the time I was presented to him, among other things, said as follows:

"The extraordinary progress of the United States, independent of the advantage gained by the extension of its area, of its geographical position, and the elements which constitute its social organization, is due to the liberal institutions under which the people are governed, and by which it has been proven that the free people are those that really prosper, and are the only ones that have peace as the essential condition of material, intellectual, and moral progress.

"The South American republics when they made themselves free had in the northern zone an authority they could consult and an example they could follow. If owing to reasons which are well understood they could not copy the edifice you have framed, they have always endeavored at least to inspire in their own people the ideas which have enabled you to advance so resolutely on the road of human liberty and progress. If on this road so happily trodden the American constellation has added to its stars, it is also true that the southern star, following with no less certainty in the same heavens, and pursuing the same purpose, shines to-day with greater splendor and shows that we have not been amiss in seeking the path to glory, liberty, and prosperity."

Not less earnest and admiring were the words of the President of Guatemala, as witness the following from his response of welcome to our mission:

"It is the source of the greatest gratification to me to receive from your hands the autograph letter by which his Excellency the President of the United States has accredited you as envoys extraordinary and ministers plenipotentiary to my Government. From the very beginning we have embraced with the greatest ardor the plan of the American Congress to send a commission to the Spanish American republics for the purpose of securing more intimate and friendly relations between them all.

"Such a noble and elevated purpose can not but have the sincerest sympathy and cooperation from all those who desire the progress of the several nations of the New World, so that in having the honor to receive you and give you a most affectionate welcome, it is gratifying to be able to assure you that you will find on the part of the Government and the people of Guatemala a sincere disposition to aid in the success of your most important mission.

"The grand Republic of the United States is the natural market for the different products we export, and they should find in your rich and populous country consumers who are able to send us in return the great variety of their agricultural and mechanical products with benefit to the producers and consumers of both countries.

"Guatemala has always endeavored to maintain the greatest harmony with the nations which honor us with their friendship, and it has always endeavored very especially to strengthen more and more the cordial relations which have forever existed between this country and the United States, so that when you come, vested with an exalted duty by the grand American Government, inspired with the benevolent sentiments which you have just uttered, I have the honor to congratulate myself upon your arrival, and promise to leave nothing undone to make your visit a success, and enter into bonds with you to unite more closely two peoples which by their analogous institutions, by their geographical positions, and many other circumstances and considerations, should establish a more active and lucrative commerce."

Without wearying you with these iterations of the desire of the American peoples visited by the commission to realize such results as are proposed in this measure, I will content myself by adding the following from the President of Mexico, a most progressive and enlightened statesman:

"Mr. Commissioner Thacher then quoted the instructions of the Secretary of State relating to an international congress of delegates from the several nations of the American hemisphere, and asked the views of President Diaz as to the practicability of such a congress, and his opinion as to the topics which it should consider.

"To this President Diaz replied that the suggestion was an old one, and had many times been considered by the Mexican Government, which he believed had always favored it. He recited his recollection of the several attempts made in this direction, beginning with Bolivar's plan of 1824, and the attitude presented on each occasion by the several administrations in his own country, showing great familiarity with the history of the proposition. He said he had always hoped such an international congress would be sometime held, as he believed great good could be accomplished if all the American republics would consent to send delegates to meet upon an equal footing and agree upon measures for the common welfare.

"The chief object to be discussed at such a gathering would naturally be a method of arbitration by which international differences could be peacefully adjusted, and another, equally important, was to confine American trade, so far as possible, to American nations."

I venture on one more quotation. It is a paragraph from the response of the President of Venezuela:

"I respond in the most frank and cordial manner to the expressions of good will of your Government, and I view the very elevated object of your mission from the standpoint of its great importance.

"Venezuela and the United States have the same institutions, the same history. They produced the immortal George Washington, "the first in the hearts of his countrymen," and Venezuela produced the immortal Bolivar, the father of five republics freed by the impulse of stupendous efforts. Both of them honored by the recognition of the two confederacies, they are to-day the faithful representatives of the association of our interests and aspirations—equality before the law and the truth of democracy.

"With these lofty motives the people of the New World aspire by union to seek the development of their industrial and commercial prosperity and to cement the alliance of views and intents in the reign of equity and the empire of justice."

EFFICACY OF PROPOSED LEGISLATION.

The twofold object unfolded in the title of this bill will, I conceive, in a large degree be realized by its enactment.

The historic fact that our example has led to the creation of republics striving to realize our progress and destiny imposes upon us a different relation to those peoples than that which we hold to other nations. This is intensified by the propinquity of these constitutional governments and by the further consideration that while we have forborne giving them much aid or comfort in the past, we have quite emphatically repeated our objection to the acquisition by any European power of any territory in the Western Hemisphere.

It is that relation that this measure proposes to exalt in the eyes of the world—to give it form, expression, and efficacy—to assume for the greatest Republic on earth, if not the greatest nation, a significance and moral power toward those states which have found in her antecedents and marvelous development a model for their own institutions heretofore forgotten or neglected.

The proposed law is a lofty recognition of the truth that no nation with a republican form of government can live to itself alone.

It is this international aspect of the proposed congress that will draw the attention of mankind to its deliberations, and will make it in many respects the most remarkable if not most important assemblage the world has ever seen. Its benign objects, when contrasted with those of other national conferences where the repression of human liberty and progress were the bonds of the confederating potentates, will add to its work dignity and crown its conclusions with the wreath woven for that which ennobles and enlarges humanity.

DIFFERENT PROPOSITIONS OF THE BILL.

The first and seventh propositions of the bill are those on which territorial integrity and national tranquillity depend. The mind at once sees how impossible national dismemberment or aggressive wars would be under the provisions foreshadowed in these suggestive topics.

Peace is the imperative need of these Spanish republics. The tyranny of the mother country is so recent, and it burned so deeply into the subjected provinces, that their chief national dislike is the country whence came the viceroys and rulers over them. But with the disappearance of the Spanish yoke there rose military rulers and for a time the army made presidents and cabinets.

A government founded on universal and intelligent suffrage can not even yet be said to be fully realized in some of the Latin nations of this hemisphere.

Against violent measures of any kind these provisions of general concord would be powerful defenses.

SAME RESULT AIDED BY PERSONAL KNOWLEDGE OF OUR INTERIOR LIFE.

It is in this direction that a great educating force would be brought to bear upon the delegates from our sister States by a sojourn in our midst under the hospitable welcome of our Government.

Our schools, our higher institutions of learning, our religious life, where church and state are totally independent of each other; our industrial pursuits and growths, our systems of internal improvements—in fine, all that intense personal freedom of thought and action out of which has grown our present commanding position—would profoundly impress our visitors and they would carry back to their own lands new views and purposes.

The result would be the same, in part, at least, as that I pointed out in the final report as following the education of their young men in our midst:

"Every year there are delegations of young men from each republic finding educational homes and advantages in the schools of Europe, whence they bring back at least far less accurate ideas about and love for American institutions than they would were they returning from our colleges or higher schools of learning. A number of young men from each republic, ingenious and eager for mental improvement and education, annually educated in our midst, familiarized with our progressive life, the spirit of our laws, the genius of our institutions, and the comprehensiveness of our energy, would in a few years make a marked change in the knowledge their people have of the United States.

"They now admire our greatness, but then they would revere the benign principles, the complete tolerance, and the singleness of purpose and aim on which the whole superstructure of American growth, power, and welfare rests. They would feel that the impulses of equality, religious toleration and independence,

and the isolation of Government from all aims save those essential to the protection of the person and property of the people, were the secrets of a power and elevation their countrymen so much applaud. They would be missionaries returning to their countrymen with the story of our people, life, and achievements, and holding them up for imitation.

"They would speak of the filling of the great offices of state by a free, uncoerced ballot and the quiet acquiescence of 55,000,000 of people in the will of the majority, however narrow that might be. What more powerful argument could they bring against the too frequent revolutions in those States that follow their recurring national elections?

"They would point their countrymen to schoolhouses in the smallest rural district of the great Republic, as in the most populous wards of its thronged cities: to the schools of art, technology, industrial pursuits, and classical and scientific acquisitions, whereby the blessings of a free education are brought within the reach of the poorest child in the land. They would tell their people of a State where every form of religious faith is protected, but not supported by law, and yet where the spires of churches, temples, and cathedrals rise above the roofs of every city and the groves of every village, hamlet, and neighborhood, scarcely out of sight of the traveler as he passes from ocean to ocean. What stronger motives for the independence of the church and the education of the masses could they place before their patriotic countrymen?"

To this end the delegates should be shown our great centers of trade and business, our manufactories, and our appliances for agricultural development, and be afforded, by extended tours from the Atlantic to the Pacific coast, from the Lakes to the Gulf of Mexico, an opportunity to behold on a grand scale the workings of our elastic institutions.

COMMERCIAL FEATURES OF THE BILL.

Turning to the other details of the proposed law, we find they tend to one point—the promotion of trade, the building up of commercial interests by and between the consulting Governments.

This aspect of the matter opens a wide field of inquiry and, in some degree, of speculation.

The pecularities of the Latin race in America lead it away from manufacturing pursuits. Valencia centuries ago imported wool from England and returned it in cloths, but the process is now reversed.

Great Britain manufactures for the world, and Spain, with all the colonies she planted, contributes to her commercial supremacy.

In Spain there is cheap fuel and plenty of water power. In Spanish America, from Mexico to Magellan, there are few coal fields, but almost everywhere flowing streams, furnishing the cheapest and most abundant power.

Guatemala, Costa Rica, the western slopes of the Andes, Uruguay, and portions of the Argentine Republic have unfailing and enormous stores of this easily used motor. Yet in Costa Rica I saw only two water-driven mills; in Guatemala there were a few more; yet not one-thousandth part of the water power was utilized. The Rimac for nearly 70 miles is a dashing cascade, with only a tannery, a brewery, and possibly a few other industries at Lima, holding in check for a few minutes its rushing flood.

Chile in the Mopocho and the Maipo has powerful streams, and hundreds of smaller water courses find their way to the ocean.

The report from Uruguay calls attention to its internal water power, and the statements submitted with the report from the Argentine Republic show how immense is the water power in the Gran Chaco region.

We must conclude, then, that the want of manufactured products in these countries grows out of either or both of two causes—the one a disinclination to take up the patient, steady routine of daily toil necessary to successful manufacturing, and the other a greater profitableness in other more congenial pursuits.

Without dwelling on the point, I may say that it is safe to aver that these countries will for years be great consumers of foreign manufactured goods.

In Chili the war with Peru demoralized the soldiers, many of whom were taken from the ordinary pursuits, and, returning from their conquest, failed to take up the peaceful avocations they left; and yet Chile is beyond doubt, in manufactories, the New England of South America. The special report on this country fully covers this question.

In any trade relations we may establish with those countries we may reasonably count on the permanance of the demand for our goods.

OUR COMPETITORS.

The larger portion of the commerce we are seeking has been in the hands of Great Britain, but of recent years another, and what promises to be a more formidable rival, has come to the front.

The German manufacturers, intrenched behind encouraging and protecting legislative walls, have pushed their products far beyond the home demand. Always sure of their own market without competition, they have turned their unflagging energies to secure centers of trade in the Western Hemisphere. They are clever imitators of every new invention, of every improved machine, and of many of the most useful and popular goods produced in the United States. They send out counterfeits of the famous "Collins" wares, even to the very brand; they make mowers and agricultural implements as nearly like ours as possible. Our sewing machines are copied by these people, and the imitations are palmed off on the South American trade as coming from the United States. The character and ways of these new rivals for the trade of our neighbors is thus graphically portrayed by our former consul-general in Mexico, Mr. Strother, and I may add that what the German is in Mexico he is in all the other Central and South American nations.

General Strother says:

"For the rest, it will still remain with American manufacturers and merchants to solve the question of successful competition with their European rivals, the most formidable of whom at present are the Germans, whose commercial establishments are more substantially planted and more widely extended than those of any other foreign nation. And it may be well here to note their methods and the causes of their success. The German who comes to Mexico to establish himself in business is carefully educated for the purpose, not only in the special branch which he proposes to follow, but he is also an accomplished linguist, being generally able to converse and correspond in the four great commercial languages—German, English, French, and Spanish. His enterprise is usually backed by large capital in the mother country. He does not come to speculate, or inflated with the hope of acquiring sudden fortune, but expecting to succeed in time by close attention, patient labor, and economy, looking forward twenty, thirty, or even forty years for the realization of his hopes. He builds up his business as one builds a house, brick by brick, and with a solid foundation. He can brook delays, give long credits, sustain reverses, and tide over dull times. He never meddles with the politics of the country; keeps on good terms with its governors, whoever they may be. He rarely makes complaints through his minister or consul, but if caught evading the revenue laws, or in other illegal practices, he pays his fine and goes on with his business. With these methods and characteristics the German merchant generally succeeds in securing wealth and the respect of any community in which he may have established himself."

In a conversation with the British minister, Sir Spencer St. John, in Mexico, he observed to me that the success of the Germans in dealing with the revenue officials and in pushing their trade had driven out of Mexico every wholesale English house, whereas the foreign commerce was once largely in the hands of his countrymen.

In passing from this point we must not forget that notwithstanding all this copying of our productions by the German manufacturer, yet the deception deceives few, and that were the markets open to our dealers the superior material, workmanship, and fidelity of our goods would defy all competition.

The French, equally protected by home legislation and alive to the wants of the South American markets, are increasing their trade there.

Indeed, we must meet in the ports of our neighbors the wares of many of the European countries, all of which are borne to their destination in vessels flying their own national ensign.

STEAMSHIPS A NECESSITY.

This brings me to the pivotal point in all our efforts to secure those markets to ourselves. In round numbers $400,000,000 of imports are consumed annually in Central and South America.

The volume each year rises in magnitude. Of this great business our country should enjoy at least three-fifths.

I may be permitted on this point to repeat the observations I made in the final report:

"Without the frequent and certain appearance of the flag of our country in the waters of these States there can be no strong international ties. 'Out of sight,

out of mind,' is as certain of nations as of individuals. The ships of a country carry its sovereignty, its name, and its character to the ports of the world. 'Intimate international relations' suggests association, an interchange of friendly offices, frequent communication, negotiation, intercourse. A friendship with an ocean ever rolling between the friends is a cold thing. The allies we seek in the Western Hemisphere, except Chile, are almost wholly without a mercantile marine.

"If we would impress them with the value of our friendship, lead them to look to us for sympathy in time of need, invite them to repose confidence in our sincerity for their welfare as nations, we must devise some way of frequent and easy communication. Isolation on our part will increase indifference. There is scarcely a maritime country of Europe whose flag on war ships, steam and wind driven craft, is not better known in the waters of South America and along the Spanish Main than is that of our country. And yet there is no flag so welcome there as ours.

"Our special reports have shown with what earnestness the people of the republics we have visited in South America pressed upon us the necessity of establishing American steamship lines to increase trade, and to a willingness of those republics to contribute to their establishment. We shall not be called upon to furnish all the money necessary to enable the projected lines to compete with European merchantmen; for so desirous are those countries for regular and frequent steamship intercourse with us that we can rely upon their material aid to promote it. We believe that the adjustment and perfecting of the common enterprise between all the parties to the measure would of itself beget confidence and better acquaintance.

"A business enterprise promoted by the different countries would draw to it the patronage of the people of these lands. Patriotism would aid in diverting trade to the new lines, and just as railroads sweeping over State boundaries in our country have tended to the unification of the people of all the States, so would these messengers of commerce promote better acquaintance with the good qualities of each among all the rest, and thereby foster nearer national as well as commercial ties.

"The concurrent testimony of all whom we have consulted, holding positions of influence or information, and the results of our own observation in every port we visited demonstrate the futility of our efforts to promote trade in the desired direction so long as freight and passage rates tell so heavily against us and so heavily in favor of our European competitors.

"There is no reason to imagine we can regain the trade we once held in South America or capture that now possessed by foreign nations unless we adopt the same measures those countries employed to take that commerce from us and keep it and its increase. We append to this report the answers to our inquiry sent to the several legations in Europe as to the amount paid by other countries to promote and maintain steamship lines to the South American States. They show by what agencies the great volume of commerce of that continent is made to roll to European ports, and prove how useless will be our efforts to turn it unless we use means of equal significance and potency."

I find the following in the Missouri Republican, of St. Louis, of the 2d instant:

"*Important meeting.*—The board of directors and transportation committee met yesterday and adopted the following resolutions:

"*Resolved*, That in the interest of the trade between the Mississippi Valley and the Central and South American States we recommend that direct mail communication be encouraged between the United States and those countries through the port of New Orleans, and that for the promotion of this object we urge upon our Congressmen, with those representing the other States in the Mississippi Valley, that Congress make liberal appropriation to subsidize any steamship line that will establish communication between New Orleans and the countries named.

"*Resolved*, That a copy of these resolutions be forwarded to the various exchanges in the Mississippi Valley, and the Congressmen representing the same, urging their hearty cooperation in this movement."

No one can question the value to our country of the recommendations made by the St. Louis Board of Trade, and most emphatically is this true of the agricultural and manufactured products of that wide expanse comprehended in the Mississippi Valley. The course of trade in this vast region toward the ports of our neighbors is illustrated in the way hams manufactured in the Western packing houses find that market. They are shipped to New York, thence to some English port; there they are stripped of their American wrapping and brands, rewrapped and branded as of English make, and then shipped to some South American port, where they bring 50 cents per pound.

Direct communication from New Orleans with the markets of the Spanish Main and of the South Atlantic coast, and thence to those of the South Pacific,

would add large value to everything the great valley sends to those places. Flour, lumber, agricultural machinery, oils, provisions, and other articles directly affecting the welfare of the farmer and manufacturer would find a higher and better market were the resolutions of the St. Louis Board of Trade adopted by Congress.

INTERNATIONAL QUARANTINE.

But this stimulated service would fail of its best results if it was not supplemented by a far better and less vexatious system of quarantine, both at New Orleans and the ports above mentioned, than now exists.

On this point I refer to that part of the address before the commission at New Orleans of Maj. B. F. Hilder, found on page 377 of the report of the commission, at the second session of the Forty-eighth Congress, Ex. Doc. 526, and also to the still more exhaustive and most interesting paper of Dr. Joseph Holt, president of the Louisiana board of health, found at page 382 and following pages of the same document; also to the views of the commission on the subject, found at page 431, together with the statement of Dr. Burgess, of Havana, on this question, found on page 433.

It will be seen that unless some such system as that outlined by Dr. Holt can be adopted through international cooperation an almost insuperable barrier is erected against continuous steam communication between the entrepôt of the great river and the ports southerly therefrom. More or less yellow fever exists the year around in the ports of the Caribbean Sea, those of the South Atlantic as low down as Rio de Janeiro, and those of the South Pacific to Callao.

Dr. Holt suggests a feasible way to preserve perfect sanitation of the exposed ship, and so obviate, save in very exceptional cases, any serious detention of it when it reaches its destined port.

ADDITIONAL TOPICS.

I venture to suggest to the chairman that to the topics already proposed for consideration by his bill he add one, covering—

"The best methods of sanitating ships and cargoes going from infected ports, and of reducing the time of quarantine detentions."

And (I may as well here respond to the chairman's invitation to name topics for consideration other than those mentioned in his bill) the following: To the fifth proposition add "and for the extradition of criminals."

To-day a refugee from justice, a Boston embezzler or forger, under an assumed name, publishes an American newspaper at Buenos Ayres.

No wonder his presence in that city neither gives respect nor welcome to the character of American citizenship.

It might be well to ask the delegates to bring certain information as to the feasibility or advisability of effecting an all-railroad connection between all the nations; of carrying the steel highway from Mexico south until it meets the one being pushed north by the Argentine Republic through the Gran Chalco and into the almost unvisited regions of eastern Bolivia and western Brazil.

Again, I would add a general invitation to each country represented in the congress to present such different or more specific propositions than those mentioned as it felt inclined.

VALUE OF UNIFORMITY IN CUSTOMS, LAWS, MONEY, WEIGHTS, AND MEASURES.

The propositions of the bill in the second, fourth, fifth, and sixth subdivisions, if carried into general use, would facilitate trade between the nations, and in fact tend to an almost entire exclusion of European states from all such branches of commerce as could be carried on without them.

This unity of coin value, of weights and measures, and the uniformity of law touching exports and imports would inevitably stimulate and enhance business ventures of all kinds between the states governed thereby. The reflections upon the effect of such uniformity are so obvious that they readily come to mind the moment the general proposition is named. In addition to those that lie upon the surface, it may be stated that out of this uniformity would come on our part a closer study of the wants of the people whose trade we seek; the manufacturer would, through branch houses and agents well versed in the language and habits of those countries, know what patterns, widths, lengths, styles, and character of goods his customers require.

The doleful cry of faulty packing and reckless disregard of orders would not be heard. Bills of lading and invoices would utter a language familiar to all. The vexations of the custom-house would disappear. The measure of value would no

longer be the shilling of the English, the mark of the German, or the franc of the French, but it would be the dollar of the Western Hemisphere.

Many difficulties and many years possibly stand in the way of this desired end. But great organizations of capital and labor fill the land with their gigantic forms. Why should not the same idea inform and guide the policies, international and commercial, of the American nations?

The call for this congress will meet a cordial response from the best men of those countries. Such statesmen as ex-President Sarmiento, the father of the educational system of the Argentine Republic; Chancellor George Huennos, speaker of the House of Representatives of Chili, and the head of the National University at Santiago, and many more who might be named, will see in this international conference auguries of good, and good only, for the struggling Republics of Central and South America.

LETTER OF THOMAS C. REYNOLDS, PRESENTING HIS VIEWS ON SENATE BILL 1616, "TO PROMOTE THE POLITICAL PROGRESS AND COMMERCIAL PROSPERITY OF THE AMERICAN NATIONS."

ST. LOUIS, MO., *April 7, 1886.*

SIR: Responding to the invitation with which, on behalf of the Senate Committee on Foreign Relations, you have honored me, I respectfully present my views on your Senate bill 1616, to promote the political progress and commercial prosperity of the American nations.

Each and all of the seven objects set forth in the second section of your bill are so clearly wise and statesmanlike that comment on them is superfluous. I therefore confine myself to making some suggestions concerning the modes in which, and the extent to which, those objects can be attained.

The meeting at Washington of a congress of delegates from all the independent nations of our hemisphere, for the consideration of those objects, will present peculiar advantages. Prepared for by our regular diplomatic and consular officials, it would present opportunities for the officials of our Government to be brought into direct communication with delegates specially selected for the purposes of the congress, and those delegates would be in like communication with our officials, and with each other.

The roundabout way of communication by the regular diplomatic representatives of the Governments, or by a commission from our own, having constantly to report home for orders, would be avoided. A free interchange of opinions would lead in a very short time to practical conclusions, which it would require years to reach by the regular diplomatic methods.

It should be distinctly understood, and perhaps be in some way indicated in your bill, that the consent of all the Governments invited to the congress will not be indispensable. Power should be given to the President to convoke it, should only some of the Governments invited send delegates to it. Diplomatic correspondence and information heretofore would indicate that many of those States would, for various reasons, decline the invitation. The countries south of the equator might find it best to form a customs union of their own. Should only the Governments of the Republics bordering on the Caribbean Sea and Gulf of Mexico—our American Mediterranean—unite in the congress, it should meet without awaiting the action of the other States. A customs union of the latter, south of the equator, would finally gravitate to a like connection with our own part of the hemisphere, as South Germany did toward the customs union of North Germany.

On the general subject of the congress, as well as in regard to the objects specified in the seven clauses of the second section of your bill, the rise and progress of the German customs union (zollverein) is practically instructive. I have no authorities to which I can refer, and must rely on my remembrance of observation and information during several years' sojourn at German universities, at a period when that union was in the course of development. It was composed at first of the Prussian dominions and a few minor contiguous States. As its advantages became evident, other States joined it, under the influence not only of those advantages, but also of retaliatory tariffs against them by the union, and special favors offered to them by it. South Germany long held back, and my recollection is that its States first formed a customs union of their own. The Hanseatic seaports (independent sovereignties) hesitated still longer. Indeed, I have an impression that the great commercial city of Hamburg is not yet completely included in the union. Sixty years or more have passed in bringing the union up to its present extent and importance. The causes or pretexts of the reluctance to join it were mainly difference in tariffs, fear of injury to protected industries, and (to a formidable extent in bureaucratic governments) the opposition of employees to a system which, as they believed, would economize by abolishing their places.

Similar causes may lessen the number of Governments which will accept the invitation to the congress or unite upon plans to effect the objects mentioned in the bill; but even should only a few be represented in the congress here, as in Germany, it will be the first step which costs, and afterwards like obstacles will be removed by like means. Should even but one State be willing to unite with us in carrying out any of the objects mentioned in your bill, a beginning will have been secured, and, as in Germany, the adhesion of all the others to a complete commercial and customs union will be a question of time—probably of less than half a century.

Taking by clauses the first section of your bill, I deferentially make these suggestions.

CLAUSE FIRST.

While a general assent may be expected to measures that shall tend to preserve the peace and promote the prosperity of the several Republics and the Empire of Brazil, the exact definition of those to preserve the present integrity and territorial conditions of each as they exist against forcible dismemberment, will meet with serious obstacles. Several Spanish-American States still have treaties mutually guaranteeing each other's territories; but they are not observed by any of them. Several, probably most, of the Spanish-American Republics, and Brazil have questions of boundary to settle, and to do so, existing territorial conditions of occupancy might have to be changed. To become a party to such questions, even by general or vague declarations, might lead the United States into entangling engagements. Possibly these objects of this clause of your bill could be united with that mentioned in section 7: "An agreement upon, and recommendation for adoption to their respective Governments of a definite plan of arbitration of all questions, disputes, and differences that may now or hereafter exist between them." As to forcible dismemberment by any European power, the position of the United States is too well understood, and satisfactory to the other American Governments, to need any agreement in the proposed congress.

CLAUSE SECOND.

The final crowning result which the other objects of your bill would be contributory to, or even accompany, will be the formation of the American customs union proposed in this clause, "Under which the trade of the American nations shall, so far as is possible and profitable, be confined to American waters, and there shall be a free interchange of the natural and peculiar manufactured products of each." I assume that the interchange is to be of all products of each, as our commerce with the countries south of us will always naturally consist, to a very great extent, of our manufactures in exchange for the products of their fields, forests, and mines.

On the details of such a customs union, the honest collection and equitable distribution of the revenues from it, the measures for preventing smuggling, the proper consideration of existing vested interests, the necessary navigation laws defining the origin and ownership of vessels to which the trade is to be confined, and many other important matters, I do not propose to write. But it may not be superfluous to make some observations on what may be necessary to prepare for a customs union, and which in fact, to a limited extent, is such a union itself, viz, a reciprocity treaty.

Among the means to secure more intimate commercial relations between the United States and the several countries of Central and South America, suggested in the first report of the commision to those states (transmitted by the President to Congress on February 13, 1885, and printed as Ex. Doc. No. 226), were the following (p. 4): "Commercial treaties with actual and equivalent reciprocal concessions in tariff duties." As the words "actual and equivalent" were adopted at my suggestion, an explanation of their full force may not be superfluous. A stipulation in a treaty that certain products of one country shall be admitted free, or at a reduced duty, into another country, may, on paper, appear to offer a reciprocal concession for a like admission of certain other products of the latter country into the former. But the seeming effect of it may be neutralized in various ways so that it will be to the one country or the other not an actual concession. Chief among those ways are the existence of treaties with other nations, placing them on the footing of the "most favored nation," export duties, home bounties, drawbacks, monopolies, and municipal or other local taxation. The skill of the diplomatist, aided by information from consuls, merchants, shippers, and other experts in the questions, should be exerted to frame the treaty so as to prevent the defeat of its real object by such collateral disadvantages and burdens. To explain them,

or point out modes of removing them, severally, would unduly extend the length of this letter.

But one of them, the "most-favored-nation clause," deserves special consideration. It is understood that Great Britain, Germany, and probably other countries, claim that a reciprocity treaty with the United States by a Spanish-American country applies to them, under that clause in their treaties with the last-mentioned country, with the same effect as if their names had been in the treaty instead of or along with that of the United States. For example, should the United States, resuming import duties on coffee, grant to Brazil freedom from them, on the "reciprocal concession" that flour and certain American manufactures should be admitted free into that Empire, Great Britain, which consumes very little coffee, of any kind, and probably none from Brazil, would claim the same freedom for her like manufactures. Thus, in return for our being customers of Brazil, in coffee, to the amount of about $50,000,000 annually, Great Britain, offering no "equivalent" concession in fact, would still be able to drive (or, rather, keep) us out of the Brazilian market for those manufactures which she can supply more cheaply or with greater facility through her lines of steamers.

After much thought on the subject, I have found no surer mode of making reciprocity "equivalent" than by expressing in the treaty itself, and as a condition of it, the real object of every reciprocity treaty, the actual and equivalent increase of the commerce between the parties to it. For illustration, should the United States make a reciprocity treaty with Spain for certain concessions designed to increase our exports to Cuba, in consideration of a reduction of our duties on Cuban sugars, the treaty should provide that that reduction should exist only as long as Cuba imported from the United States at least a certain fixed amount in value annually, and Spain might justly require a like condition as to the annual amount of our imports of Cuban sugars. The custom-house returns of the two countries would readily fix the respective amounts, and the reciprocity of the treaty, whenever it ceased to be actual and equivalent, could be suspended by a proclamation of the President, on due notice to be provided for in the treaty.

As it is undeniable, and even generally admitted, that the "most-favored-nation clause" entitles a country having the privilege of it to be merely "on all fours" with any other nation, and share the advantages of it only on the identical conditions accompanying them, such a proviso as that above mentioned would effectually block the diplomatic game which Germany is understood to have played upon us in Mexico, by claiming for herself the benefits of our recent reciprocity treaty with that Republic. Taking, in fact, no sugar, and little tobacco or anything else from Mexico, she sagaciously offers to remit her duties on them and claims for her exports to that Republic, mainly in manufactures, the same concessions it made to the United States in order to increase the exports of its own products to our country. With such a proviso as that above suggested, Germany would be beaten on her own diplomatic ground. Mexico would be obligated by the "most-favored-nation clause" only to offer to Germany the same treaty, mutatis mutandis, her name taking the place of that of the United States. As her imports from Mexico would not compare with ours, such a treaty would give her no actual advantage over us. So, also, with Cuba in her commerce with Germany, and probably, also, with Great Britain and France. No one of those countries (France and Germany making their own beet-root sugar, and Great Britain being supplied principally by her own colonies) would be able to take from Cuba the amount of sugars which would be the treaty "equivalent" for the concessions made to the United States.

Another important consideration in deciding what kind of a reciprocity treaty to make, or whether to make it at all, is the effect it would have on some equally advantageous indirect trade. By driving out of some South American market some other country which trades with us we may diminish the purchasing power of that country in our own markets, and increased indirect trade with the former may not compensate with us for a loss of trade with the latter. In this connection, the effect of several misused terms is to be deprecated. Generally when our imports from and exports to any particular country do not balance at all, the very bad English is common of speaking of a "balance of trade" for or against us. It is refreshing to notice that in the reports of our Bureau of Statistics that improper phrase is discarded, and the difference between exports and imports is described as an excess of one over the other. An excess of imports over exports in a particular venture may represent a gain and not a loss. A familiar illustration is that of a Boston ship which, in former times, would take a cargo belonging to the ship's owner, worth, say, $100,000, to China, and return with one, also belonging to the same owner, worth twice the amount. The difference being the returns for the expenses of the voyage, the profit in China on the original venture, and that in Boston on the return cargo, would be all gain. The same may be the case

with the entire commerce of one country with another, as could be amply shown from the statistics of British trade with Asia, given in Mr. Frelinghuysen's letter on the "Commerce of the World." Of course, in some other special case it might be otherwise.

Another very general error is to treat an excess of imports over exports in our trade with a particular country as a difference which we pay in cash. This is rarely, if ever, the case. It is usually paid in exchange on some other country, obtained by selling to it our own products. Brazil affords a very fair illustration. We take from that Empire directly products many millions in value in excess of what we send directly to it. That excess is paid for by exchange on London, based on our exports of provisions, cotton, etc., and with that exchange the Brazilian pays for English manufactures to be sent to Rio. The indirect trade may be different. The Englishman may sell his manufactures in Brazil, convert the proceeds directly, or indirectly by purchase of exchange, into coffee, with the proceeds of which in New York he purchases provisions to be sent to England. In either case the result is the same. England gains some profit in exchange, as London is the world's money center, and in freights which her ships carry. But to the extent to which England is crippled in her sales to Brazil, her purchasing power in our provision markets may be diminished.

Therefore, before making a reciprocity treaty, we should carefully consider, in each particular case, whether, even with the profits in exchange and shipping in a direct trade, we may not be losing a more profitable commerce in a different direction by diminishing the power of others of our regular customers to purchase products from us.

CLAUSE THIRD.

"The establishment of regular and frequent lines of direct steamship communication between the ports of the United States and the ports of Central and South America" is unquestionably indispensable for the promotion of a direct trade between those ports; but to discuss the modes of securing that communication would unduly lengthen this letter, and, besides, to do so would be entirely superfluous, as every aspect of the subject has been fully presented in the statements of merchants and shippers, which accompany the reports of the commission to Central and South America. Whether encouragement to a direct trade be given by liberal mail contracts, direct subsidies, differential import and tonnage duties, bounties on shipbuilding, as in France, or even by a return to the navigation laws by which Cromwell transferred England's foreign carrying trade from Holland to herself, and which substantially constituted our own earlier legislation on the subject, two points seem to me clear. Equity would suggest that our citizens on the seaboard are as fully entitled to the expenditure of Government money over and above the receipts from postage in encouraging foreign trade and intercourse as our interior settlements are to similar expenditures to facilitate their correspondence with other parts of our own country. The benefits of the former expenditure would indirectly accrue to those settlements, as the latter does to our seaboard. In selecting lines for such expenditures, preference should be given to those which afford us the advantages of proximity and the existence of an already established commerce by sailing vessels or transient steamers. The histories of the American regular steamship line between New York and Venezuela and that connecting the Isthmus of Panama and New York and San Francisco are very instructive. They have succeeded in building up direct American trade and almost excluding competition in it from foreign steamers, even from "tramps."

CLAUSE FOURTH.

The establishment of a uniform system of custom regulations in each of the independent American States to govern the importation and exportation of merchandise, a uniform method of determining the classification and valuation of such merchandise in the ports of each country, and a uniform system of invoices.

These are of great importance and even in a customs union would have to be considered; but they will be the most difficult to effect until after public sentiment shall have been fully prepared in Spanish-America and Brazil for a customs union. Habits, customs, and regulations in such matters are so fixed by usages, probably of centuries, in the various countries of our hemisphere, including our own, that not only revenue officials but even the merchants themselves could with difficulty be brought to see the advantages of entire uniformity. Both those classes habitually prefer even a cumbrous routine with which they are familiar to a new one which they will have to learn. Each country would advocate the uniformity which consists in having its own system adopted by all other countries. The more artificial the system might be, the more earnestly would those trained in it insist

on its advantages, in the same impulse of human nature that made common-law pleaders object to the beauty and simplicity of civil-law procedure.

Yet, as with the reform of our own laws, much may be done by skillful diplomacy, aided by our merchants, shippers, and their agents, both in our own country and in the rest of our hemisphere, toward a partial if not complete uniformity. Tariffs could be reformed by leading the other Governments (and possibly also our own) to see that the revenue will not be affected, and frauds will probably be diminished by simplifying the classification of merchandise—as, for instance, placing under a few general heads the four or five hundred articles, often but slightly different from each other, specified in most, perhaps all, of the Spanish-American tariffs. Arbitrary fines could be abolished, customs regulations be gradually improved, the classification and valuation of merchandise, even under the existing systems, be simplified and made explicit, and especially the modes of redress for wrongs made more liberal, prompt, and inexpensive than they now generally are in Spanish-American countries.

CLAUSE FIFTH.

The adoption of a uniform system of weights and measures, and uniform laws to protect the persons and property, the patent rights, copyrights, and trade-marks of either country in the other.

Several Spanish-American States have already enacted laws of the kind above described or embodied them in treaties with European powers. An industrious diplomacy would doubtless secure like advantages to the United States. The question of uniformity of weights and measures presents greater practical difficulties. The Latin race Governments of America have shown a decided tendency to adopt the French metric system, and although, as the experience of France herself suggests, the reception of a new system by a people is of very slow growth, yet that metric system, on account of its intrinsic merits and advantages, has such a hold upon those Governments and scientific men in those countries that probably such a uniformity could be obtained only by our adopting that system, at least in our commercial intercourse with them. There could be no reason for their exchanging their own popular weights and measures of Spanish varas, leguas, libras, arrobas, etc., for our equally unscientific feet, yards, miles, pounds, bushels, etc. Perhaps a practical solution of the question, at least for a long time, in invoices and other commercial documents could be found in fixing, by treaty or otherwise, the precise equivalents in our weights and measures of the old Spanish as well as of those in the metric system. The uniformity would thus become, in practice, simply a matter of arithmetical computation—as is now the case in the construction of railways in Mexico—by converting miles into kilometros.

CLAUSE SIXTH.

"The adoption of a common silver coin, which shall be issued by each Government in such an amount proportionate to the population of each as may be determined upon, the same to be legal tender in all commercial transactions between the citizens of all the nations of the American hemisphere," presents much more formidable difficulties than any of the other propositions in your bill. To explain them some account of the currencies of Spanish America, succinct, but aiming to avoid obscurity, may be useful.

Although some of the Spanish-American States have, theoretically, gold coin, yet, in fact, silver coin is alone in circulation, and, what is more important, is the sole measure of value. Practically they are as much under the silver monometallic system as India or China. From some cause the silver coin known as the peso sencillo or "simple dollar," to distinguish it from the old Spanish milled dollar, peso duro or "hard dollar," is the basis of all their coinages under the names of bolivar, boliviano, sol duro, etc. I conjecture that this "simple dollar," of the same weight and fineness as the French five-franc piece, arose from the preponderance in Spanish coins of the peseta, which was once so current in the United States under the name of "pistareen." The Spanish milled dollar was legally divided into eighths, called reals; the peseta was, for the purpose of making small change, coined as of the intrinsic value of a real and a half, and the convenience of a decimal system asserting itself, even under such unfavorable circumstances, 5 pesetas, although only of the value of $7\frac{1}{2}$ reals, became the current measure of value instead of the dollar of 8 reals. In Spain the peseta itself has been adopted, both in commerce and in Government accounts, as the unit of coinage, and I assume it to be of the weight and fineness of the French and Belgian franc, the Greek drachma, the Italian lira, and the Venezuelan bolivar, as the Director of our Mint gives to each of them the value of $19\frac{3}{10}$ cents. His valuations of other Spanish-American coins show that, except in Mexico, the peseta or franc is the actual unit of coinage.

With the extensive commerce of those States with France, Belgium, Spain, and

Italy, and their intimate connection in habits and ideas with their European kindred of the Latin race, it may be expected that they will adhere with great tenacity to the "common coin" they already have. It would seem that we could do best by either adopting that common coin for commercial transactions between us and them or by inventing a new silver coin of a fixed weight and fineness, and representing a permanent value, not in an artificial ratio of value to gold, but in their own measure of value and as a commodity or as bullion.

It so happens that our own coins of less denomination than a dollar correspond exactly, or very nearly so, in weight and fineness, with the Spanish-American silver coin, two of our half dollars being equal in intrinsic value to the "simple dollar." There is no good reason why they should not circulate in Spanish America as at par with like weights of parts of the "simple dollar." It has been said that they formerly did so, but that the act of Congress securing their convertibility into our intrinsically much more valuable silver dollars (these also being of legal tender) caused them all to be sent home again. They are now rarely to be seen in any Spanish-American country.

To agree upon an amount of the common silver coin proportioned to the population of each country also presents difficulties, as the amount of circulation needed by each country would not be at all in proportion to population, even if that could be accurately ascertained under the defective census system in Spanish America, and probably not even in proportion to wealth and resources, which would probably have to be only estimated. Such considerations doubtless influenced the Latin Union to refuse admission of Venezuela into it, even after she had adopted the same silver coinage, and theoretically became also a bimetallic country. But should such a limitation be desirable, some other basis could be agreed on; possibly a proportion to the total amount of each country's average imports and exports, in a certain series of years, would be safe and acceptable.

The other mode above suggested would be to agree upon a new common coin, with a specific name, say a florin, to be of the fineness of our own silver coin, and to weigh precisely half an ounce. It would have the advantage of being both a coin, and representing an ascertained amount of silver, as merchandise or bullion.

With either of these common coins as measures of value the commerce of the several countries could be carried on, the coinage of each country being legal tender, not for any other kind of money or coins of any other metals or even for silver coins of other denominations, but solely in fulfillment of contracts made specifically in the common coin, as our gold bonds are made payable only in gold coin.

But, of course, here we encounter the immense difficulty that while the Spanish-American countries use silver alone, both for coinage and as a measure of value, we use both silver and gold, and attempt to get and keep a measure of value by fixing, through statutes, a ratio of value between the two metals. To discuss a mode of establishing such a ratio between our bimetallic coinage and the silver monometallism of Spanish America would unavoidably lead into the mazes of the silver question in our own country. I abstain from entering into them, except by expressing the opinion I have held ever since I examined the subject many years ago (but in which I may be alone), that the whole attempt has been and will continue to be a conspicuous failure, and should be abandoned. Contracts could be made in either gold or silver coins, of fixed weights and fineness, according to the intents of the contracting parties, and the ratio of value between the two metals—which even in our own time has varied so much that to keep up the semblance of it we first debased our gold coins, and afterwards our silver—could be left to be determined by the immutable laws of even a slowly variable supply and demand, rather than to the dangerous expedient of statutory or treaty regulations, changeable at the will of Governments which may be in necessity or influenced by false theories or even corrupt.

For the convenience of the construction of contracts a measure of value in either silver or gold could be established by law to define the unit of value in legal tender in contracts in which the metal or coin had not been specified. Under a system by which values were measured in greenback dollars, although at a discount below both gold and silver, and contracts in coin had to be exceptionally so stated, our commerce flourished. The difference in commercial or intrinsic value between the two currencies would be a mere matter of computation. The variances would be so gradual as to be scarcely perceptible, except in the lapse of an entire year, and the computations of them, to ascertain value in the one coin or in the other, would be no more difficult or injurious to commerce than like computations of rates of exchange.

But, as our own people are so accustomed to fixed rates of value between gold and silver coins, and to their being in certain fixed proportions legal tenders for each other—an expedient about as logical and sensible as a statute determining what weight of Indian corn shall be a legal tender for a bushel of wheat, both being in this country, and only one of them in Great Britain, current as food for

man—a practical view of a common silver coin for the American hemisphere should take into consideration our existing bimetallism, with its disturbing adjunct of a statutory ratio of value which may or may not accord with that fixed by commerce in the metals themselves.

With due diffidence, I suggest that our present half dollar and the subdivisions of it might be advantageously adopted as the common silver coin, as it is identical in weight and fineness with the measure of value and existing coinage of all Spanish America except Mexico. The privilege to convert them under our statute into silver dollars would have to be abolished, but their present limited legal-tender qualities could be preserved. With like legal-tender qualities, at par with like silver coins of Spanish-American countries, they would freely circulate in those countries, as did Spanish and Mexican coins in our own country in the early part of this century. There would be little return of them, as the limited amount to which they would be legal tender here would be amply supplied by our own mints. The same limited legal-tender quality in our country could be extended without danger to the like coinage of South American countries joining in the agreement; little of it would come to us to compete with our own, and we would reap the advantage that our own would be legal tender as the proper measure of values in all commercial transactions in those countries. Brazil, having now merely a depreciated paper currency, might be readily induced to introduce it into her mints, and a change in the coins of Mexico could be as readily made as a like change was in Spain, her present dollar, where contracts call for it, being decreed to be the fair equivalent of 5$\frac{1}{4}$ of the South American franc (one-fifth of the simple dollar). Under such an agreement for a common silver coin, the coinage of it could safely be left free, supply and demand regulating its commercial ratio of value to gold coin. The legal-tender qualities of those coins would be on no unequal or unfair basis. They would have in each country the legal-tender extent given to like coins of that country—limited with us, as our own; unlimited in Spanish-America, as their own.

The adoption of a common coin of the weight of half an ounce of silver would encounter the difficulties that it would disturb commerce by giving a new measure of value, and the convenience of computing its value by weight might cause it to degenerate into being treated as mere bullion. Nevertheless, could it obtain extensive adoption in commerce as a measure of value, that convenience would increase its utility. Transactions in it could be reduced to gold or any other currency by examining the quotations of the market value of silver in gold or in such other currency.

The proposition to adopt a common silver coin of the value of our gold dollar, if coupled with the quality of being legal tender for the latter, seems to me impracticable and illusory for the simple reason that, should the present value in silver of the gold dollar be adopted, any fluctuation in the comparative values of these metals would affect it. Should gold continue to rise in those comparative values the silver dollars of South American mints, being of less value than gold dollars, would have a tendency to flood our markets and increase the confusion into which we have already got, by using two measures of value and attempting to force a ratio between them. Should gold fall in comparative commercial value there would be a strong temptation to exchange gold coins for the Spanish-American common coins to pass into our circulation and unduly expand it, or even be sold as bullion. If the common coin is to be the measure of value and legal tender only in transactions in such coins and not as equivalent in any fixed ratio for other money or gold, the already established "simple dollar" presents advantages over every other silver coin.

The existence of our bimetallic coinage and artificial ratio of value between gold and silver naturally suggests the question, How are values of merchandise to be computed for the collection of duties where the invoices give amounts in "simple dollars?" The answer is readily found: The value of the new coinage in our currency can be annually ascertained by the Director of the Mint, and proclaimed by the Secretary of the Treasury, as is now done with the coins of all countries of silver monometallism. The merchant importer or exporter, in ascertaining the cost to him in our currency of goods bought in Spanish America, or the value there in the common silver coin of his wares sent thither, need concern himself little about such valuations, as both his payments and receipts will be regulated, as now, by rates of exchange. But he will have a share in adjusting those rates instead of having them determined for him in London. Should they exceed cost of transportation, interest, and insurance he can ship American half dollars in legal-tender payment of his purchases in South America. In like manner the South American can send his "simple dollars" to the United States, with the advantage that instead of being treated as mere bullion, as they would be in Europe, they will have a partial advantage as legal tender, like our own subsidiary coin. The result might eventually be to transfer the exchange market of this hemisphere

from London to New York. Of course, beyond the use of the common coin as legal tender, it would, as any other silver coins, be valuable only as bullion at the market price in currency or gold.

The suggestion of a new silver coin to be legal tender when a contract calls for it, and otherwise only to a limited extent, but without any fixed ratio of value to gold, or even our standard silver dollar, is so novel that the foregoing suggestions are made with diffidence. I regret that I have not at hand information about the means by which Great Britain maintains a balance between her own gold monometallism and the silver monometallism of her vast possessions in India. But a study of those means may suggest modes of reconciling our double standard with the single silver standard of Spanish America. The attempt to do so should not be lightly abandoned, for, as President Arthur said in his last annual message to Congress, by the adoption of a common silver coin for this hemisphere, "the surplus productions of our mines and mints might be thus utilized and a step taken toward the general remonetization of silver."

In connection with the suggestion of introducing into our domestic circulation a coin based on a measure of value different from our own bimetallic, it may be well to note that even in gold monometallic England a like plan has been considered. A special cablegram to the St. Louis Globe-Democrat from London on the 11th ultimo states:

"At the dividend meeting of the managers of the Bank of England to-day the question of bimetalism was discussed, and the coinage of a silver rupee and florin currency for circulation in both India and England was suggested."

CLAUSE SEVENTH.

An agreement upon and recommendation for adoption to their respective Governments of a definite plan of arbitration of all questions, disputes, and differences that may now or hereafter exist between them.

My personal observation and knowledge of the Spanish-American people through several years of sojourn with them induce me to believe that most, perhaps all, of them will gladly make such an agreement, and the enlightened and able Emperor of Brazil would assuredly join in it. With the tendency of our age toward arbitration, even of private differences between employers and employed, it may be extended between governments, literally to "all questions," including many of those covered by the second section of your bill, especially those mentioned in the fourth clause, which are the principal sources of disputes between our Government and those of the other American states. Thus this agreement, leading gradually to others, if not simultaneous with them, may become the corner stone of the international edifice in which in time all the nations of this hemisphere will dwell together in the peace and harmony of a great American customs union. Should the Congress result in even nothing more than such an agreement it will have fully rewarded our Government for having convoked it and richly compensate us for the hospitality to be extended to its members.

The impression exists in some quarters that under such an agreement our Government would have to assume the often thankless duty of being regular and perpetual arbitrator in all the quarrels of our somewhat excitable sister American communities. The exact contrary is most probable; they might, from oversensitiveness, systematically avoid giving the United States so conspicuous a mark of leadership. They would most probably select as arbitrator in their disputes some such standing international peacemaker as the late King of the Belgians was in European differences, or some government entirely unconnected with American interests, or the head of their religion, the Pope, or even, reverting to a former prevalent usage, some university of international reputation for erudition and integrity.

I have, perhaps at too great length, given my views on all the subjects embraced in your bill; but I have done so in the hope to indicate that, even should the proposed congress result in agreements on but few of those subjects and by only some of the states which may send delegates to it, yet such results will amply demonstrate the wisdom of having invited it. And even should it result in nothing definitive, the knowledge which each of the governments represented in it will acquire of the views and policies of all the others and the personal intercourse between our own representatives and those of the other countries will lay the foundation of a cordiality between both which will be advantageously felt in our future diplomatic and commercial intercourse with the other nations of this entire hemisphere.

I have the honor to be, sir, very respectfully, your obedient servant,

THOS. C. REYNOLDS.

Hon. WILLIAM P. FRYE,
United States Senate.

ADDRESS OF WILLIAM E. CURTIS, LATE COMMISSIONER FROM THE UNITED STATES TO CENTRAL AND SOUTH AMERICA, BEFORE THE COMMITTEE ON FOREIGN RELATIONS, UNITED STATES SENATE, WITH REFERENCE TO SENATE BILL 1616, "TO PROMOTE THE POLITICAL PROGRESS AND COMMERCIAL PROSPERITY OF THE AMERICAN NATIONS," MARCH 27, 1886.

South of the Rio Grande and the Gulf of Mexico, in what is known as Spanish America, are about 48,000,000 of people, engaged in a foreign commerce amounting to over $800,000,000 a year. This commerce is about equally divided between exports and imports. The exports consist exclusively of raw products, and always will; while the imports consist of manufactured merchandise. The Spanish-American people have no taste for mechanical industry, and lack the water power or the fuel to exercise it if they had. They will always be compelled to import all the luxuries and nearly all of the necessaries of life except food, and their wealth must come from the boundless resources with which a prodigal nature has stored the continents.

In 1884 our exports were valued at $733,768,764, mostly manufactured merchandise. Of this amount we exported but $64,719,000 to Spanish America. Our annual mechanical and agricultural products are valued at $15,000,000,000, but we seldom have sold more than $75,000,000 worth of this product to our nearest neighbors, who buy in Europe many times as much as they ever get here.

We have more trade with either Belgium, Italy, The Netherlands, Spain, Switzerland, Russia, China, Japan, Australia than we have with all of the Central American States combined. We have nearly as much trade with Greece as we have with Chile. We sell more sewing machines in Switzerland than we sell in Chile, and Switzerland sells Chile more sewing machines than she buys of us.

England, France, and Germany have secured a monopoly of the trade of Spanish America by the establishment of quick, regular, and cheap transportation, and we have lost it by neglect. For example, Bolivia has a foreign trade of over $16,000,000 a year, yet the name of that country does not appear in the tables of our Bureau of Statistics. The chief imports of Bolivia are cotton and woolen goods, agricultural implements, mining machinery, hardware, cutlery, clocks, watches, canned goods, and provisions, a list which could be filled in any commercial city of the United States as cheaply as in Europe, and yet the annual reports of the Treasury Department do not show a dollar's worth of commerce between the United States and that country.

The same conditions exist with other nations in quite as startling a form.

In 1884 the value of manufactured merchandise imported into the several countries of Central and South America was as follows:

Central America:		
Mexico	$30,000,000	
Guatemala	3,500,000	
Honduras	750,000	
Salvador	2,750,000	
Nicaragua	3,250,000	
Costa Rica	2,800,000	
British Honduras	1,250,000	
		$44,300,000
South America:		
French Guiana	1,500,000	
Dutch Guiana	1,700,000	
British Guiana	10,800,000	
Venezuela	16,000,000	
Colombia	13,700,000	
Ecuador	4,375,000	
Bolivia	4,500,000	
Chile	52,600,000	
Peru	7,600,000	
Argentine Republic	84,900,000	
Uruguay	26,000,000	
Paraguay	1,300,000	
Brazil	101,000,000	
		325,975,000
West Indies		117,113,000
Grand total		487,388,000

The figures showing the distribution of these imports for 1884 can not yet be obtained, but the exports of the United States, France, and Great Britain to the countries named below in 1883 were as follows:

Countries.	United States.	Great Britain.	France.
Central America	$2,003,407	$4,186,893	$1,392,113
Colombia	6,888,971	6,009,414	5,984,352
Venezuela	2,403,705	3,126,123	1,324,468
Brazil	9,252,094	34,140,119	15,657,473
Uruguay	1,452,812	9,683,712	5,111,211
Argentine Republic	3,543,196	30,695,963	24,956,691
Chile	2,860,496	21,318,312	9,655,555
Peru	493,894	4,811,600	1,760,670
Total	28,878,625	113,972,136	65,843,533

The increase of the imports from Great Britain into the Argentine Republic in 1884 was very large, and reached a total of $38,000,000. There was a corresponding increase in most of the other countries.

The following shows the exports from England, France, and the United States to Mexico, Central and South America, the Spanish West Indies, Haiti, and Santo Domingo of cotton goods, iron and steel, machines and implements, and hardware and cutlery, the goods in which we excel:

Articles.	England.	France.	United States.
Cotton manufactures	$45,738,000	$6,215,000	$4,563,000
Iron and steel	11,090,0 0	3,339,000	2,810,000
Machinery, engines, etc	8,022,000	1,157,000	6,820,000
Hardware and cutlery	3,505,000	114,000	1,254,000
Total principal articles	68,355,000	10,825,000	15,447,000

Our total exports to Mexico are greater than those of either England or France, while our total exports to South America are less than one-fourth of those of England, and only one-half of those of France.

During the last twenty years the value of the exports from the United States to the Spanish Americas was $442,048,975, and during that time we purchased of them raw products to the amount of $1,185,828,579, showing an excess of imports during the twenty years amounting to $765,992,219, which was paid in cash. It will thus be seen that our commerce with Central and South America has left a very large balance on the wrong side of the ledger, while those countries have all the time been buying in Europe the very merchandise we have for sale. Being the very reverse of the United States in climate and resources, they constitute our natural commercial allies, and the exchange should at least be even; but they sell their raw products here and buy their manufactured articles in Europe. The principal reason for this is that the carrying trade is in the hands of Englishmen. The statistics show, that, of the total imports into the United States from Spanish America, which, in 1884, amounted to $159,000,000, three-fourths were carried in foreign vessels. Of our exports to those countries, amounting last year to $64,000,000, $46,000,000 were carried in American vessels, while only $18,000,000 were carried by foreign vessels. It will thus be seen that nearly everything we buy is brought to us from Spanish America by Englishmen, while nearly everything sell we have to carry there ourselves. The logic of the facts is irresistible.

The most absurd spectacle in the commercial world is the trade we carry on with Brazil. We buy nearly all her raw products, while she spends the money we pay for them in England and France.

In 1884 of the exports of Brazil $50,266,000 went to the United States, $29,000,000 to England, and $24,000,000 to France. Of the imports of Brazil in 1884, $35,000,000 came from England, $15,000,000 from France, and $8,000,000 from the United States.

Another peculiar feature of this commerce was that of the exports of Brazil to the United States $32,000,000 was carried in English vessels and $9,000,000 in American vessels, while of her imports from the United States $6,000,000 was carried in American vessels and only $2,000,000 in English vessels. The trade is carried on by triangular voyages. Two lines of steamships sailing under the British flag load every week at Rio for New York. Arriving at the latter port

they place their cargoes of coffee and hides in the hands of commission merchants, and sail for Europe, where they draw against these consignments, and buy Manchester cotton, Birmingham hardware, and other goods which they carry to Brazil. During the last twenty years this absurd spectacle has cost the United States $600,000,000, every cent of which has gone into the pockets of English and French manufacturers. We have not only paid for the goods that England has sold Brazil, but as we have had no banking connections with that country and no ships on the sea, nearly every ton of this commerce has paid a tax to English bankers and vessel owners.

Several years ago when we removed the import tax on coffee, Brazil put an export duty on, so that the attempt of Congress to secure a cheap breakfast for the workingman simply resulted in diverting several million dollars from the Treasury of the United States into the treasury of Brazil, without changing the price of the article. Mexico and the countries washed by the Caribbean Sea produce a better quality of coffee than is grown in Brazil, and if the United States Government would consent to discriminate against Brazilian coffee, raised by slave labor, the nations of Central America and the Spanish Main would reciprocate by admitting free to their ports our flour, lumber, provision, lard, dairy products, kerosene, and other articles which are now kept from the common people by an almost prohibitory tariff.

Brazil is in such a critical condition financially and commercially that if we did not buy her coffee it would rot on the trees, and the Englishmen who control her foreign commerce would have to close their warehouses and throw all the Brazilian planters into the bankrupt court. These Englishmen have secured mortgages upon the plantations of Brazil by supplying the planters with merchandise on credit and taking the crop at the end of the season in payment; but as the crop seldom pays the advances, the mortgages have been lapping over upon the plantations, until now the Englishmen have the Brazilians by the throat, making their own terms, charging one profit on the merchandise sold, another as interest on the advances, a third on the coffee purchased, and a fourth as interest on payments deferred, while they make three profits out of us: first, on coffee they sell us; second, on transportation charges; third, in discounting our bills on London.

The greater part of our exports to Spanish America go to Mexico and the West Indies. Deducting these from the total, it will be found that we buy over 30 per cent of what the South American countries have for sale and furnish them only 6 per cent of their imports. The balance of trade goes on piling up at the rate of nearly $100,000,000 a year. This was not always so. Twenty years ago more than half the commerce of this hemisphere was controlled by the merchants of New York, Boston, and Baltimore, and more than half the ships in its harbors sailed from those ports Now only a small percentage of the carrying trade is done in American bottoms, while English shipowners who control the transportation facilities permit the Spanish-American merchants to buy in this country only such goods as they can not obtain elsewhere.

The cause of this astonishing phenomenon is our neglect to furnish the ways and means of commerce. We can no more prevent trade following facilities for communication than we can repeal the law of gravity. While we have been pointing with pride at our internal development, England and France have been stealing our markets away from us. The problem of recovering them is easy of solution. The States of Central and South America will buy what we have to sell if intelligent measures are used to cultivate the markets and means are provided for the delivery of the goods.

The Spanish-American nations seek political intimacy with the United States and look to this, the mother of republics, for example and encouragement. They recognize and assert the superiority of our products. They offer and pay subsidies to our ships. Brazil now pays $100,000 a year as a subsidy to an American steamship line, while the United States Government paid only $1,000 last year to the same line for carrying our mails. The Argentine Republic had a law upon its statute books representing a standing offer of a subsidy of 96,000 silver dollars a year to any company that will establish a steamship line between Buenos Ayres and New York under the American flag, and at the same time has 21 lines of steamships, sailing from 45 to 60 vessels a month, between Buenos Ayres and the ports of Europe, to which it pays nothing. We have no steamship communication with the Argentine Republic whatever. During the last year, out of the millions of tons of shipping represented in the harbor of that metropolis, there were no steamers from the United States, and our flag was seen upon but 2 per cent of the sailing vessels. Here is a nation purchasing in Europe $70,000,000 worth of merchandise every year, and only spending about $4,000,000 in the United States, and these $4,000,000 represent articles, such as petroleum, lumber, lard and other pork products, which could not elsewhere be obtained.

Thomas W. Howard, United States vice-consul at Uruguay, stated to the commission that the carrying trade between that country and Europe was done by 567 steamers, of which 203 were English, 118 French, 107 German, 48 Italian, and 14 Spanish, with not one under the American flag; and he said that no steamers ever came from the United States to Uruguay, except occasionally an English tramp chartered for a special cargo. The foreign commerce of Uruguay amounts to $45,000,000 a year, of which over $20,000,000 are imports of manufactured merchandise. The chief imports are wearing apparel, iron and steel goods, agricultural implements, and machinery. England furnishes 27 per cent, France 17 per cent, Germany 13 per cent, Spain 10 per cent, Italy 6 per cent, and the United States only 5 per cent.

The Spanish Americans erect statues to Washington and Lincoln, and imitate the United States in all their political and economical endeavors. Their republics are founded upon constitutions in imitation of that our fathers framed. They have introduced our school system and they import teachers from the United States.

Even more surprising than our neglect of the commercial opportunities they offer is our ignorance of their condition and progress. We recollect their civilization as we saw it last—to be an anarchy of errors. We do not realize that the triumph of liberal intelligence and the influx of modern enterprise have opened to the nations of South and Central America a destiny second only in promise to our own. While it would be useless to seek in those Republics an ideal of self-government, their progress in the last half century has placed them in a situation where their political reform is not only hopeful but assured.

The development of the southern half of South America is nearly as rapid as that of the United States. Immigration is flooding in, internal improvements are opening new and fertile fields, and wealth is increasing in a ratio enjoyed by no other section of the globe.

Chile, Uruguay, Paraguay, and the Argentine Republic, almost a terra incognita to us, are booming like our Western Territories. In 1876 the imports of the Argentine Republic were valued at $35,000,000; in 1884 they had reached $80,000,000. In 1876 the merchandise brought to that country from England, France, and Germany was valued at only $18,000,000, while in 1884 it was more than $53,000,000. The entire imports from the United States for twenty years were $6,000,000 less than those from the three commercial nations of Europe for the year 1884.

Within the last three months the Government of the Argentine Republic has made contracts for $59,000,000 worth of railway improvements, including a line of road northward into Bolivia, and two lines across the continent to Chile, so as to bring the commerce of the Pacific slope into the harbor of Buenos Ayres, instead of taking it around the Straits of Magellan.

In 1874 the foreign commerce of Chile amounted to $42,000,000. In 1884 it reached $132,000,000. From $50,000,000 to $60,000,000 in merchandise is imported into Chile every year, of which England furnishes over $20,000,000, France over $12,000,000, Germany over $8,000,000, and the United States $3,000,000.

Adding the imports of Brazil to those of Uruguay, Chile, and the Argentine Republic, it will be found that the aggregate value of manufactured products introduced into those four countries annually reaches the enormous sum of $250,000,000, of which England furnishes nearly one-half, France about $50,000,000, Germany about $35,000,000, and the United States about $17,000,000.

We have no adequate conception of the present magnitude of these markets, nor of their prospective value. The manufacturers of the United States can supply almost every article represented in that $250,000,000, with the exception of a few articles of luxury which we ourselves import. The consumption of cotton goods alone amounts annually to over $65,000,000, and 95 per cent is supplied by the mills of Manchester.

Cotton fabrics now and always will constitute the wearing apparel of three-fourths of the people, and they must be imported. England monopolizes this trade because her mills furnish an article especially adapted to the wants and tastes of the consumers, which our looms have never attempted to produce. The assertion that we can not compete with Manchester prices is absurd. The only reason we are undersold is that we send an honest fabric to compete with a dishonest one; but as long as the English manufacturers send cargoes of pipeclay and starch to the tropical countries our exporters must furnish the same article or be undersold. There is a grim humor in the fact that the popularity of our cotton goods is so great that nearly every bale of this bogus fabric shipped from Manchester to the South American nations bears the coat of arms of the United States, and is marked "Best American drillings, Massachusetts, U. S. A."

There is not a commercial city in Spanish America where the manufacturers of the United States can not compete with their European rivals in every article we

produce for export. The report of the South American Commission shows, by the testimony of the importing merchants of those countries, that aside from the difference in the cost and convenience of transportation it is to their advantage to buy in the United States, because the quality of our products is superior, and our prices are usually as low as those of Europe.

But as long as the freight from Liverpool, Hamburg, and Bordeaux is $15 a ton, they can not be induced to pay $40 a ton to bring merchandise from the United States.

The control of the transportation facilities being in the hands of European merchants, assisted by liberal subsidies from Governments that encourage them in seeking trade, there is a natural and effective discrimination against freights from this country, and is usually cheaper to ship goods from New York via Hamburg to the South American countries than to send them direct.

The bill which Mr. Frye has introduced contemplates an assemblage of delegates from these Spanish-American nations at Washington for the purpose of considering measures to bring them into closer political and commercial relations with the United States.

Under instructions from the late Secretary of State, Mr. Frelinghuysen, the South American Commission submitted to each of the Governments it visited a series of propositions covering the suggestions contained in this bill, and, with the exception of Chile, each of the Governments visited promptly and cordially accepted the propositions made. The commission was not instructed to conclude conventions of any character, but was directed to initiate a movement this bill is designed to promote. The Government of Chile declined to enter into any compact whatever with the United States, by treaty or otherwise. The propositions were submitted to the President of that Republic, in the presence of his entire cabinet, and discussed at length, but the only one that Government was inclined to accept was that relating to the establishment of a common silver coin. This suggestion they very cordially approved, and its importance was enlarged upon by the President of Chile and his minister of finance.

The proposition to hold a congress of American nations was not declined by Chile, but taken under advisement, the Government reserving the right to accept or decline an invitation to such a congress when the United States was prepared to submit a plan in detail, defining its scope, the subjects to be considered, and the extent of the powers intrusted to the delegates.

Even if the contemplated congress should fail to reach any conclusions upon the subjects proposed for it by Congress, a visit by the leading men of the Spanish-American nations to the United States will be productive of great good.

The report of the South American Commission upon this subject says:

"The attainment of closer international and commercial relations between our country and these Republics is easily accomplished. Our reports have frequently called attention to the feeling of admiration with which the progress, wealth, and power of our land are regarded by the other countries of the Western Hemisphere. They one and all find in our history a model for their own institutions, and our moral support and approbation are prized above those of any and all other nations. Hence our advances toward a more perfect understanding and greater confidence will meet with a quick and true response. There will be no prejudices to overcome, no antipathies to remove, few differences of constitutional life to adjust. The result of our observations leads us to believe that these Republics have felt that our country heretofore has given them too little thought; that in its greatness and introspection it has failed to take a warm interest in the trials and struggles of peoples who are striving to realize for their own countries something of the peace and prosperity that belong to what they always term "La Grande Republica." Unless we have been completely misled by the expressions and protestations of the ruling powers of each and every one of the Governments we have visited, the only estrangement possible between them and us will flow from our own indifference and neglect. Indeed, we have already lost much that naturally belongs to us from this cause. Every President and cabinet officer, every leading and thoughtful citizen we met, joined in the sentiment of gratified surprise that our country had taken the initiative by this embassy in bringing about more cordial and hearty communication between the various Republics and our own. In our effort to reach more intimate relations we have, then, this basis of kindness and desire upon the part of those we seek to reach as a foundation for our action. We shall plant seed in a genial soil, beneath a propitious sky.

"To the foregoing considerations we may add the beneficial influence of the proposed convention of representatives of the States of the Western Hemisphere. Our several reports show with what warmth the suggestion has been welcomed by nearly every country we visited. It is cordially indorsed by all save Chile, which only gave a qualified assent.

"The general opinions of the Governments visited point to the propriety of this country's issuing the call for the convention, fixing time, place, membership, and also suggesting in the invitation a list of topics for discussion, at the same time conceding to every State represented the right to bring forward such other subjects affecting the welfare of all as it may deem best.

"Not only should the call and programme emanate from our Government, but the assembly should convene in the United States under its hospitable welcome and direction. The details we do not enter upon, though we may be permitted the quite obvious reflection that the range of topics should be so varied that in some one or more of them each State should feel a particular interest, and the general scope of all tend to the prosperity and common good of all. We can well believe that the discussion of these topics which pertain to the common weal would be followed in each State with profound interest, the conclusions reached, especially if found with much unanimity, of great practical good, and the general result of a joint deliberation of the several people on questions of moment to each would inevitably weave into firmer fabric the warp and woof of the threads of friendship and interest and communication reaching from one to all the rest. Neither need we point out the value to our country in many ways of filling the position of a generous host, welcoming to our homes and estates guests whose good opinion we desire to win by sincere courtesy and a just revelation of our noble national character. To this end the representatives should enjoy extended opportunities to become familiar with the marvelous economies, politics, industry, education, and religion out of which our greatness has sprung. No limited or contracted parsimony should bound our efforts to exhibit in fair colors the magnitude and glory of that temple of freedom in which we worship. Every section of our land would reveal to their eyes, in language stronger than words, the wealth, progress, and happiness that attend a people whose institutions are founded on equality, where the poorest and weakest citizen has his wrongs redressed and his rights protected equally with the strongest and most wealthy. From such a survey they would carry home deeper respect for a country whose religion, unaided by the civil power, builds shrines in every neighborhood where the humblest may kneel and adore according to his conscience, where education rains down on every rank of life manifold blessings, and where obedience to the expressed will of the majority is deemed a sacred duty.

"In such a convention could be discussed, as was suggested by some of the States consulted, the plan of agreeing upon a common silver coin which should be current among all the States of the American continent at its face value. This proposition has been favorably entertained by all the Governments advised with as one which would add value to the silver product and prove a potent factor in promoting commerce between the countries adhering to it.

"The States of Central and South America stand ready to respond heartily to our call for such a convention, and once held it would prove, doubtless, the forerunner of many more, whose influence would be puissant in promoting more intimate relations, both international and commercial."

The reports of the commision show that the suggestions for a common currency was favorably received by all the Governments visited, including Chile. All the Spanish-American countries are now under a system of silver monometallism.

There is no gold to be seen. Silver is not only the current coin, but the legal tender everywhere. These countries have paper money, but its value is regulated by the silver coin that prevails in each. They do not even coin their own production of gold.

The report of the Director of the Mint for 1884 shows that the entire product of gold in Spanish America for the three years previous was $25,000,000, of which only $1,500,000 was coined.

From the same report it is shown that for the three years the product of silver in Central and South America, including Mexico, was $143,000,000, of which $84,000,000 was coined, and of this total Mexico produced over $86,000,000 and coined $73,000,000. Deducting from the total the product and coinage of Mexico, we find that the total product of silver in Central and South America for three years was only $57,000,000, or about $19,000,000 a year, while the total coinage for three years was only $11,000,000, or less than $4,000,000 a year.

Bolivia is the next largest producer of silver. Deducting the product and coinage of Bolivia for three years, we find that the remaining nations of Central and South America produced only $19,000,000 in silver during the three years, and coined only six millions of this product, or about $2,000,000 a year. The balance of the product is shipped to Europe in ore.

Chile, Colombia, Bolivia, Peru, and Venezuela are the only nations producing silver to any amount.

From the report of the Director of the Mint it is shown that the total circulation

of paper money, gold coin, and silver coin in Spanish America, and including Mexico, is $340,000,000, of which $243,000,000 is paper money, and Brazil issues about three-fifths of the latter amount. For the details of the financial situation in the Spanish-American countries I would refer to the report of Mr. Reynolds, of the South American Commission, who has given special attention to that subject.

The balance of trade against the United States with these countries of Central and South America amounts annually to nearly $100,000,000. This balance is paid in bills of exchange on London, the proceeds of which are expended there in the purchase of merchandise which our markets could supply at as low figures and in as good quality as that of Europe. It was remarked nearly everywhere that English merchants, of whom the South American importers were buying their goods, might not accept such a coin in payment, and the reply invariably was that in such an event they would come to the United States to buy their goods. All commercial transactions in these countries now are calculated in pounds, shillings, and pence, the local currency never entering into foreign commercial transactions.

In every one of these nations, with the exception of Chile, the proposition for a reciprocity treaty was also heartily received. We admit free of duty into our ports the products of a people who have prohibited ours from entering theirs. Duties that are almost prohibitory are placed upon flour, petroleum, provisions, lumber, and other articles imported from the United States, so that they are placed beyond the reach of the masses of the Spanish-American people. Human transactions are usually based upon reciprocity, but have never entered into our commerce with Spanish America.

Our Government might have received concessions for the admission of our peculiar products free or at a reduced rate of duty had we been enterprising enough to enter negotiations in that direction. Almost everywhere the South American Commission found a willingness on the part of the Governments it visited to enter into commercial treaties whereby our peculiar products might be relieved from the almost prohibitory taxation without any further concessions upon our part beyond giving the pledge not to impose duties where they do not now exist. As an illustration, the little Government of Costa Rica proposed to remove the duty from cattle, salt, preserved meats, mineral, coal, raw cotton, timber for building purposes, brick, tile, lime, and agricultural and mining machinery, which they buy in the United States, provided the articles they produce, such as sugar, coffee, cocoa, and other articles which they send us are placed upon our free list. The sugar exported from Costa Rica last year was valued at only $278, so that there need be no fear of injuring our sugar interest by making the concessions they desire. The only articles which we now import from South America under a duty are sugar and wool, and almost the only wool we import is the coarse variety used in the manufacture of carpets, which is not produced in the United States.

All our carpet wools come from Chile, Uruguay, and the Argentine Republic; most of our sugar comes from Cuba. The production of sugar in all the South American countries would not be sufficient to supply one-fourth of the demand in the United States if we should take all that is raised there. As a matter of fact none comes now. The South American Republics can not compete with the slave labor of Cuba, and never will; but if their product were admitted free of duty they would give us in exchange valuable concessions that would enable our farmers and manufacturers to find a market for their surplus.

With the exception of petroleum, nearly all of our exports to Central and South America come from the Southern States and the Northwest, and consists of breadstuffs, provisions, lumber, furniture, etc. Flour is so expensive that none but the rich can use it, the price often being as high as $25 a barrel, two-thirds of this cost representing the import duty. If the duty upon flour were removed in all the South American countries the exports from the United States would be very largely increased, and the removal of that duty could be obtained by an exchange in favor of sugar, while the almost prohibi tory duty upon lumber, provisions, and other goods would be given in exchange for the removal of the duty on carpet wools. Petroleum is a very important item in the commerce of South America. Gas is scarce and high, owing to the lack of fuel, and almost the entire population burn candles. Petroleum put on board a ship at 15 cents a gallon in New York is peddled out in the South American cities in pint bottles at 25 cents each, or 40 cents for a quart bottle, the light of a single lamp for an evening costing at least a quarter of a dollar, which of course prohibits its use by the common people.

Three-fourths of this price represents the duty, as it is the practice of the South American Governments to tax the necessaries of life and admit the luxuries free.

As an illustration, a certain government which charges a duty of 400 per cent ad valorem on our kerosene oil admits watches, jewelry, and diamonds at a duty of 90 cents a pound.

Still more important is some arrangement with the South American nations for a uniform system of customs regulations. Their present system was inherited from the old Spanish tyrants, and an importer is fined for failing to cross a *t* or dot an *i*, for a misspelled word, or an erasure of any kind in his invoice.

The customs officials receive compensation from the fines and penalties which they impose, and are therefore constantly tempted to injustice. This is a greater embarrassment to merchants of the United States than to those of other nations, because the English, the German, and the French have agencies and branch houses in nearly every one of the South American ports. These agents are constantly associating with the customs officials, keep them good natured by means of their own, and are able in case an error is detected to settle it without any considerable loss, while a manufacturer or merchant of the United States, who is a stranger to the customs officials and who has no friends to watch his interests in the ports to which his goods go, is constantly subjected to the most harrassing and disastrous fines and penalties. I could relate hundreds of instances that came to my attention in which the customs officials of South American ports were induced by English agents to drive American merchants out of trade by imposing upon them fines and penalties for the most trivial mistakes in their invoices and other reasons. For example, the captain of a ship who entered a South American harbor with a cargo of goods for the first time was fined $250 for neglecting to salute the captain of the port when he came on board his vessel. It was afterwards discovered that this was done at the instance of the captain of an English tramp steamer who had been running between that port and New York and had failed to get the cargo which the American skipper carried.

The merchants of New York, as is shown in the reports of the South American Commission, find that there is no profit in a trade where they are compelled to submit to such whims of officials and the jealousies of rival merchants. By a proper system of treaty the United States could induce the South American nations to adopt a uniform system of rules regulating the appraisement and classification of goods, which would obviate all the difficulties described.

There have been two attempts to hold an international congress of American nations. In 1825, during the administration of John Quincy Adams, General Bolivar, who was then President of the United States of Colombia, invited the several American nations to join in a congress to be held at Panama in June, 1826.

President Adams accepted the invitation and nominated Richard C. Anderson and John Sargent as delegates on the part of the United States and William B. Rochester as secretary to the mission. The message containing the nominations was referred to the Committee of Foreign Relations of the Senate, by whom a report was made on the 16th of June, 1826, condemning the mission and concluding with a resolution declaring it inexpedient for the United States to join the proposed congress.

The report was rejected by the Senate and on the 14th of March, 1826, the recommendations of the President were adopted by a vote of 24 to 19. On the 21st of April, the House of Representatives, by a vote of 133 to 61, passed a bill making appropriations for the mission.

Orders were transmitted to Mr. Anderson, who was then minister to Colombia, to attend the congress, but on his way to Panama he died of a malignant fever. His colleague, Mr. Sargent, found it impossible to attend the congress, and thus the United States was not represented.

The congress was held, however, on June 22, 1826, and continued in session until July, concluding a treaty of friendship with all the American powers who had been invited to join.

The congress adjourned to meet in February, 1827, at Tacubaya, a suburb of the city of Mexico. Mr. Poinsett, United States minister to Mexico, was appointed commissioner to this congress in place of Mr. Anderson (deceased), and Mr. Sargent, his colleague, went to Mexico, but the congress did not assemble owing to disturbing revolutions in nearly all the countries invited to join.

In 1881, as will be remembered, Mr. Blaine sent invitations to the Spanish nations to meet the United States in a similar congress and they were generally accepted, but subsequent to the retirement of Mr. Blaine from the Cabinet, the enterprise was abandoned to be renewed by Mr. Frelinghuysen, his successor in office, through the South American Commission, as has been related.

The following table shows the value of the imports into the United States for the year ending June 30, 1885, which were subject to duty from the Central and South American States:

Country.	Sugar.	Wool.	Copper.	Miscellaneous.
Central American States	$254,094			$5,048
Brazil	6,834,103	$102,557		[1] 190,446
Colombia	1,151			4,743
Venezuela	3,398		$33,014	5,281
Argentine Republic		999,291		[1] 173,445
Uruguay		411,138		6,340
Chile		170,542		34,556
Peru				15,258
Total	7,092,946	1,683,528	33,014	455,117

[1] Mostly linseed and flaxseed.

Grand total, $9,264,305. Sugar imported from Cuba, $48,467,371; from Porto Rico, $6,189,639.

The following tables show the value of merchandise imported into the several independent States of Central and South America, and the share of the United States in that trade:

Country.	From all countries.	From the United States.
Argentine Republic	$84,000,000	$4,327,026
Brazil	100,000,000	7,258,085
Central American States	14,000,000	2,667,943
Chile	52,000,000	2,192,672
Peru	7,600,000	716,001
United States of Colombia	13,700,000	5,397,412
Uruguay	26,000,000	1,601,759
Venezuela	16,000,000	2,992,968
All other countries	10,500,000	425,563
Total	323,800,000	27,589,429

The following is a statement showing the value of the trade between the several ports of the United States and the several States of Central and South America for the year ending June 30, 1885:

ARGENTINE REPUBLIC.

Ports.	Imports.	Domestic exports.	Foreign exports.
Apalachicola	$33	$23,250	
Boston	3,134,515	16,648	$37,494
Brunswick, Ga		259,940	
Delaware, Del		36,504	
Fernandina		27,710	
Mobile		7,590	
New Orleans			
New York	1,096,129	3,199,377	96,744
Pensacola	132	165,856	
Philadelphia	97,684	323,711	9,215
Portland		188,603	206,022
Puget Sound		6,121	
Savannah		65,916	
St. Marys, Ga		6,606	
Willamette, Oreg	17	200	
Total	4,328,510	4,327,026	349,475

BRAZIL.

Ports.	Imports.	Domestic exports.	Foreign exports.
Baltimore	$5,264,110	$1,537,061	
Boston	1,521,611	31,017	$3,013
Brunswick, Ga		65,973	
Charleston	327		
Delaware		203,081	208
Galveston	663,035		
Mobile	78,383		
New Orleans	2,855,871		
New York	33,931,448	3,638,705	56,037
Pensacola	144	4,312	
Philadelphia	366,993	122,683	
Richmond		1,247,669	
Savannah	448,360	4,550	
Wilmington, N. C		7,582	
Yorktown	133,148	395,402	
Total	45,263,660	7,258,085	59,258

CENTRAL AMERICAN STATES.

Apalachicola	$15	$2,204	
Baltimore	50	2,538	
Chicago	64		
Key West	5,649	50	
Minnesota	1,869		
Mobile	21,918	15,323	
New Orleans	1,150,474	247,125	
New York	3,030,647	1,604,046	
Pearl River, Miss		6,842	
Portland		14,070	
San Francisco	2,186,424	761,895	
St. Johns, Fla	11,905	2,559	
Willamette		11,291	
Total	6,409,015	2,667,943	

CHILE.

Baltimore	$49,381		
Boston	160,392	$600,361	$1,022
Charleston, S. C	29,290		
Humboldt, Cal		11,844	
New York	55,189	1,416,619	17,313
Philadelphia	175,181		
Puget Sound		143,565	
San Francisco	34,845	20,283	
Willamette	247		
Total	604,525	2,192,672	18,335

UNITED STATES OF COLOMBIA.

Baltimore	$58,596	$67,111	$1,313
Boston	4,066	82,928	7,600
Brunswick, Ga		32,042	
Charleston, S. C		16,982	
Delaware		33,567	
Fernandina		4,570	
Humboldt, Cal		19,078	
New Orleans	243	96,438	120
New York	2,270,377	4,432,328	142,979
Oregon		15,912	
Pearl River, Miss	150	77,248	
Pensacola	177	137,956	
Philadelphia	7,500	15,337	
Puget Sound		73,304	
San Francisco	968	286,019	33,945
Savannah		52,150	
St. Johns, Fla		5,412	
Willamette		24,126	
Wilmington, N. C		24,904	
Total	2,342,077	5,397,412	185,957

URUGUAY.

Ports.	Imports.	Domestic exports.	Foreign exports.
Baltimore	$48,301		
Belfast, Me	66		
Boston	201,017	$46,606	$19,936
Brunswick, Ga		150,986	
Fernandina		5,018	
Mobile	66	6,295	
New Orleans	13		
New York	2,459,684	1,126,905	22,080
Passamaquoddy		43,297	
Pensacola	123	108,508	
Philadelphia	25,347		
Portland		18,791	38,668
Puget Sound		28,440	
Savannah		29,611	
St. Marys, Ga		2,500	
Wilmington, N. C		34,802	
Total	2,734,617	1,601,759	80,684

VENEZUELA.

Alexandria, Va		$5,926	
Brunswick, Ga		10,709	
Fernandina		3,100	
Georgetown	$2,100		
New London	9,491		
New Orleans	2,589		
New York	6,172,962	2,967,625	$50,644
Perth Amboy		3,625	
Philadelphia	4,320		
Richmond, Va	7,549		
Savannah	12,450	1,983	
Total	6,309,580	2,992,968	50,644

ALL OTHER COUNTRIES IN SOUTH AMERICA.

[Ecuador, Peru, Bolivia, Paraguay.]

New York	$711,242	$382,679	$2,448
Oregon		16,830	
Pensacola		11,227	
Puget Sound		12,547	
San Francisco	42,357	2,280	
	753,601	425,563	2,448

The following statement shows the commerce between the several ports of the Southern States and Central and South America for the year ending June 30, 1885:

Ports.	Amount.	Ports.	Amount.
Apalachicola, Fla	$27,000	Galveston, Tex	$663,000
Brunswick, Ga	420,000	New Orleans, La	4,885,000
Fernandina Fla	41,000	Yorktown, Va	529,000
Wilmington, N. C	60,000	Pearl River, Miss	85,000
Mobile, Ala	119,000	St. Johns, Fla	20,000
Pensacola, Fla	417,000	Charleston, S. C	46,000
Savannah, Ga	616,000		
St. Mary's, Ga	10,000	Total	9,092,000
Richmond, Va	1,254,000		

THIRTEEN PRINCIPAL EXPORTS CLASSIFIED.

Classified exports from the United States during the fiscal year 1885 to—	Breadstuffs.	Manufactured cottons.	Iron and steel manufactures.	Carriages and cars.
Central American States	$512,704	$268,847	$564,851	$89,582
Brazil	3,419,448	516,827	607,110	37,095
Colombia	301,597	269,515	726,788	165,677
Venezuela	964,981	315,343	277,108	28,594
Argentine Republic	----------	410,914	845,418	164,366
Uruguay	----------	150,300	77,611	----------
Chile	----------	613,129	378,097	82,204
Peru	----------	114,777	92,604	(*)
All others	----------	36,940	50,560	8,317
Total	5,198,730	2,696,592	3,620,147	575,835

Classified exports from the United States during the fiscal year 1885 to—	Drugs and chemicals.	Gunpowder.	Leather.	Malt liquors.
Central American States	$138,875	$128,613	$43,428	$53,645
Brazil	133,049	----------	----------	----------
Colombia	134,915	128,202	140,662	53,293
Venezuela	93,068	----------	----------	39,369
Argentine Republic	101,209	----------	----------	----------
Uruguay	26,927	----------	----------	----------
Chile	69,847	No Peru.	----------	----------
Peru	----------	----------	----------	----------
All others	17,476	----------	----------	----------
Total	715,366	256,815	184,080	151,307

THIRTEEN PRINCIPAL EXPORTS CLASSIFIED.

Classified exports from the United States during the fiscal year 1885 to—	Provisions.	Wood, lumber, and furniture.	Tobacco.	Oil and petroleum.	Agricultural implements.
Central American States	$145,949	$139,156	$29,881	$66,251	----------
Brazil	445,809	225,730	----------	868,387	----------
Colombia	648,082	1,022,831	99,674	122,607	----------
Venezuela	567,619	96,874	49,980	80,909	----------
Argentine Republic	38,425	1,112,661	100,103	396,694	$320,912
Uruguay	43,002	560,741	100,550	250,113	157,327
Chile	31,717	353,552	----------	154,806	71,965
Peru	155,379	96,994	----------	34,453	----------
All others	184,096	44,099	----------	----------	----------
Total	2,260,078	3,652,638	380,188	1,974,220	570,204

[Extracts from the reports and dispatches of the Central and South American commission.]

MEXICO.

The following is an extract from the commission's report of its conference with President Diaz:

Mr. Commissioner Thacher, thanking the President for his promptness and courtesy in granting personal interviews to the commission, explained that the conferences were to be understood by both participants as informal and preliminary, to the end that the views of the Government of Mexico and our own might be exchanged with greater freedom upon the various topics of international importance which the commission was instructed to present. He recited briefly the purpose of the commission and the objects it desired to accomplish, not only in Mexico, but in Central and South America.

President Diaz replied that the Mexican Government was grateful to the United States for sending the commission to Mexico on such a mission, and said that he sympathized deeply and sincerely with the objects it had in view. No one could recognize more fully than he the fact that close commercial relations always resulted in political sympathy and permanent peace, and it was an act to be commended by the whole hemisphere for the United States, the mother of republics,

to inaugurate a movement in which not only Mexico, but all the republics of Spanish America would commend and join. The purpose of the commission, if accomplished, would, he believed, make peace permanent among all the nations of the western world, and bring to them a fruitful prosperity. Mexico and all the other republics had shown their faith in the political institutions of the United States by imitating its form of government, and still looked to it for encouragement and example.

He desired the commission to assure the President of the United States and the Secretary of State of the high regard he felt for them, and of the admiration in which he and his people held their ability. He begged the commission to say that he reciprocated the interest felt by them in the prosperity of Mexico, and accepted as his own the views expressed by Mr. Frelinghuysen upon the first page of the printed instructions, which were read to him.

Mr. Thacher then read that portion of the message of President Arthur presented to Congress at the opening of the current session, so far as it relates to Mexican affairs, as evidence of the deep interest felt by the Administration in the commission's labors; and asked the views of President Diaz and the Mexican Government on the propositions advanced by President Arthur.

General Diaz replied that he entirely reciprocated the sentiments of the President regarding the immediate renewal of the treaty of commerce, navigation, and consular rights, and was ready at any time to favorably consider it. He said he was not fully aware of the reasons why the treaty had not been renewed before, but he understood it was because of a disagreement upon some of the conditions in the navigation clauses. Señor Romero then explained at length why a renewal had not been agreed upon, and defined the position hitherto assumed by the Mexican Government.

President Diaz remarked that both Governments would doubtless have changes to suggest as to some of the details of the old treaty, but the Mexican Government was willing to consider its renewal and amplification at any time the United States might desire to open negotiations. He anticipated no difficulty in reaching a conclusion mutually satisfactory and beneficial.

Mr. Thacher said the United States felt it a duty to promote intimacy and amity between the two Governments, and should take advantage of every opportunity, and even create opportunities, to secure such intimacy by all legitimate measures. For this reason the commission was directed to approach the Mexican Government, and to ascertain its views, aims, and needs on this subject, and to give the same ample consideration; that the United States desired to effect such intimacy as would exclude the temptation in Mexico of seeking antagonistic alliances, and at the same time avoid embarrassing engagements and guaranties. The United States realized that its moral influence and assurance of good offices to be rendered in time of need would be of great benefit to Mexico, and at the same time our Government would maintain its time-honored doctrine with respect to foreign interference in American affairs; that in giving such assurance, and in accomplishing an international alliance most to be desired, there were two important points to be considered, to wit, a reciprocity of trade advantages and a uniform currency.

Touching the latter of these considerations, the attention of President Diaz was called to the paragraph in the letter of Mr. Frelinghuysen to the Hon. John F. Miller, chairman of the Senate Committee of Foreign Relations, under date of March 26, 1884, in which the Secretary of State says:

"The United States are great producers of silver, and any market which can be opened for this valuable product is for our advantage. Great Britain, on the other hand, strives to disparage and exclude it as a means of exchange, for its use in this way depreciates her wealth and works to her disadvantage. The States of Central and South America are also silver producers, with interests like our own. It would therefore be of advantage, and probably practicable, to agree upon a common silver coin, equal in value, say, to our gold dollar, or to some other approximate standard, which, under proper regulation as to coinage, etc., should be current in all the countries of this continent. Thus value would be given to our silver product and commerce with those countries would be aided."

President Diaz responded that he heartily concurred in the suggestion of the Secretary of State; that he could readily recognize the usefulness of a common coin which should pass current in all the countries of this hemisphere; that in his belief a currency of this character would facilitate commerce and unquestionably draw together the communities possessing it. Of course the details of such an agreement must be a matter of thoughtful reflection, and he would either instruct the Mexican minister at Washington to negotiate with the Department for the establishment of such a value and the coinage of such a dollar, or, if it were preferred, he would send a special commissioner to Washington to confer with any

one the Department might select. He stated that the commission was at liberty to inform the Governments it might visit that the assent of the Mexican Government had already been given to the proposition.

Mr. Commissioner Thacher, referring again to the recent message of President Arthur, said there was a great anxiety on the part of our Government to see the reciprocity treaty already ratified carried into effect, and that the Congress of the United States had been urged to enact the necessary legislation at once. President Diaz was asked if the Mexican Government might not soon be expected to do its part toward this end.

He replied that he was very much interested in the reciprocity treaty and he believed it would be beneficial to both countries, but he feared that the Mexican Congress would not be able to enact the necessary legislation at the present session, which would expire in a few days. The short time remaining would be fully occupied in the consideration of business of immediate importance, including the passage of several appropriation bills and the settlement of a disputed election in one of the States of the Republic. Congress would meet again, however, in the spring, when he would recommend the immediate consideration of the subject, and had no doubt it would be promptly and favorably acted upon.

The commission stated that, although it was not prepared to conclude negotiations upon any subject, there were several suggestions it desired to make for the purpose of obtaining the views of the Mexican Government in the event that the scope of the pending treaty should be enlarged,

President Diaz replied that he would be glad to receive any suggestions or propositions for immediate or future consideration.

Then, referring to the printed instructions, Mr. Commissioner Thacher suggested that the position of the United States in regard to reciprocity treaties was that they should produce the greatest good to the greatest number of each country and that no concession should be made by one Government without an adequate consideration from the other. He further observed that although many products of Mexico were now admitted free into the United States, yet, except as they were protected by the existing treaties, there could be legislation in our own Congress to restore them to the list of dutiable articles; and the Mexican Government must not assume that because they were free now they would always be so. Our own legislation regarding such products would be governed largely by the tariff concessions made to the United States by the countries in which they were produced.

Mr. Thacher added that he desired to present for the future consideration of the Mexican Government the practicability of inserting in the treaty of commerce and navigation, when the same was renewed, a clause which he thought would tend to build up a merchant marine for both Republics, to the effect that the stipulated benefits should be enjoyed only when the favored productions should be carried under the flag of one of the nations engaging in the treaty. This end, he thought, might be more certainly and speedily reached if the vessels of either nation, so laden and seeking the ports of the other, were placed on the same footing as domestic vessels engaged in the coasting trade.

To this suggestion President Diaz responded, with a smile, that the advantages of such a treaty would be immediately realized by the nation which happened to have the largest merchant marine, and that it was well known that Mexican vessels were not often seen upon the sea. He was inclined to encourage any proposition that would tend to build up a shipping interest in his country, and perhaps such an arrangement might be beneficial in that direction. He was scarcely prepared, however, to discuss a subject to which he had given no attention.

Mr. Thacher replied that the idea was simply suggested as worthy of contemplation, and asked whether a proposition embracing it would be entertained by the Mexican Government when the renewal of the old treaty was undertaken.

President Diaz answered that the suggestion would not only be entertained, but that it would be regarded as one of the greatest importance. He did not wish to dismiss it longer than would be necessary to consult merchants engaged in trade and other experts as to the advantages and disadvantages which might occur from such an engagement. According to the present condition of the shipping of Mexico, the United States would enjoy very great advantages, but he was inclined to think that the measure would be received with some favor by the Mexican Government, as it would at least encourage the building of vessels and the education of seamen in the Republic. Mexico ought to have a merchant marine like that of other nations, and his administration would encourage any measure, even of temporary disadvantage, which would result ultimately in securing such a shipping trade as was to be desired. It occurred to him, however, that some of the treaties already entered into by Mexico might offer difficulties to the consummation of such an arrangement.

Thereupon the commission discussed with the President, at length, the necessity of requiring in all treaties valuable considerations in exchange for commercial concessions. Mr. Commissioner Reynolds called the attention of the President to certain clauses in the treaty just negotiated between the United States and Spain, and argued that reciprocity should be actual, and not merely technical or illusory.

The attention of the President was next called to the necessity, in any treaty hereafter made, of sufficient guaranties of protection to American capital invested in Mexico, and the instructions of the Secretary of State on this point were quoted to him.

President Diaz responded with much earnestness that he knew of no case where American capital, legitimately invested in Mexico, had not been adequately protected by the Government. Honest men had never been interfered with, but bad men had often encountered trouble. If a citizen of the United States came to Mexico and behaved himself, he received the same protection and had no more trouble than Mexican citizens of equally good character. The laws of Mexico were ample for the protection of the persons and property of all foreigners.

His Government had many times been compelled to complain of the treatment received by Mexicans in the border States of the United States, particularly in Texas. The worst classes of the population, he said, of both countries were on the border, and at many places there was bad feeling arising out of wrongs suffered by citizens of both countries, for which neither Government was responsible, as they had been committed by men who were reckless and regardless of the rights of others. The laws of Mexico, he repeated, were adequate in every case, as he believed the laws of the United States were; and where injustice had been met with, it was not the fault of the laws, but of the manner in which they were enforced. Local prejudice and personal feeling too often, he regretted, influenced the action of local judges on both sides of the border, and while it was impossible for either Government to secure the appointment of honest and impartial courts, he had made it, and would still make it, his business to remedy any injustice that might be suffered, so far as lay in his power.

President Diaz suggested that citizens of Mexico suffering wrongs at the hands of citizens of the United States should have the privilege to submit their causes at once to the Federal courts, instead of the State courts, as they were much more likely to receive justice at the hands of the former. That privilege now existed in the Republic of Mexico, but there were often questions of jurisdiction arising between the Federal and State courts which might occasion delay and injustice.

The commission recited complaints which it had received of detention in custody of citizens of the United States, who were accused of crime in Mexico and were unable to secure trial. It was stated that by the usual course of criminal procedure in the United States the accused was set at liberty if the prosecution was not ready for trial after a reasonable period, and that this rule applied to all persons, whatever their nationality.

The President replied that the constitution of Mexico and the laws of the Republic were, if anything, more liberal toward persons accused of crime, and the courts were usually even more speedy in disposing of charges than was the case in the United States. If any hardships were suffered they could not be traced to the laws of Mexico, as they contained the amplest provisions for appeals, and for proceedings similar to the writ of habeas corpus in the United States. He was anxious that every stranger coming to Mexico should be completely protected in his rights of person and property, and it was the desire of the Mexican people to furnish perfect security, in order to encourage the investment of foreign capital in the development of the resources of the country.

The President then proceeded to recite in detail the provisions of the constitution of Mexico and the laws in support thereof, showing the great solicitude there was to throw the most complete protection around every person, whether citizen or alien.

Mr. Commissioner Thacher then quoted the instructions of the Secretary of State relating to an international congress of delegates from the several nations of the American Hemisphere, and asked the views of President Diaz as to the practicability of such a congress and his opinion as to the topics which it should consider.

To this President Diaz replied that the suggestion was an old one and had many times been considered by the Mexican Government, which he believed had always favored it. He recited his recollection of the several attempts made in this direction, beginning with Bolivar's plan of 1824, and the attitude presented on each occasion by the several administrations in his own country, showing great familiarity with the history of the proposition. He said he had always hoped such an international congress might be some time held, as he believed great good could be accomplished if all the American Republics would consent to send delegates to meet upon an equal footing and agree upon measures for the common welfare.

The chief object to be discussed at such a gathering would naturally be a method of arbitration by which international differences could be peacefully adjusted; and another, equally important, was to confine American trade, so far as possible, to American nations. The details of such matters would, of course, require long and thoughtful consideration before any nation could commit itself, and, not having given the subject his attention for some years, he was not prepared to make more than these general suggestions. The plan, however, commended itself to his best judgment.

Mr. Commissioner Thacher then submitted a statement of facts acquired by the commission elsewhere regarding the operation of the Free Zone which has been established by the Mexican Government upon its northern frontier, and which has long been the subject of controversy between the two Governments. He argued that the existence of the Free Zone jeopardized the interests of Mexico, as well as those of the United States, and simply afforded a better opportunity for smuggling into both countries.

The President agreed with the commission that the Free Zone was of no advantage to either country, but political reasons made it difficult to secure a repeal of the law. He gave a history of the system, and observed that the genius of the Mexican constitution was opposed to monopolies, of which this was one of the worst sort. He also described the probable results of any attempt to abolish it, and gave the commission no ground for encouragement in this particular.

Mr. Commissioner Thacher next called the President's attention to complaints heard by the commission in various cities it has visited respecting obstacles in the way of increased trade with Mexico, and regretted the absence in the latter country of the bonded-warehouse system, which made it necessary for merchants importing goods to keep a larger amount of capital idle than the extent of the business warranted. If an arrangement could be made in Mexico under which imported goods might lie in bond until a market had been found for them, the commission thought trade would be largely extended and the revenues of the Mexican Government correspondingly increased,

President Diaz replied that the subject was already under consideration by the Mexican Congress, and he hoped the result would be favorable. He believed in the bonded-warehouse system, had studied its operation in the United States, and thought its introduction would be of decided benefit to Mexico.

His attention was also called to the complaints of American merchants regarding the fines and penalties imposed by Mexican customs officers for what were manifestly errors in invoices, and the exactions required and embarrassments caused by incompetent or malicious inspectors. It was asserted that fines were imposed for clerical errors which often were in themselves evidence that no fraud was intended; that goods were damaged by careless inspection, and grave losses occasioned without apparent reason. It was suggested by the commission that the Mexican Government might increase its revenues and encourage trade by more liberal tariff regulations, and afford relief to merchants who suffer from these exactions by withholding penalties except where intent to defraud is apparent.

To this President Diaz replied at length, saying that while injustice may have been done in many cases, the import duties of the Mexican Government were so heavy as to cause great temptation to smugglers, that the customs officers were compelled to be always upon the alert and vigorous in the enforcement of regulations; but he did not think merchants who honestly and intelligently attempted to comply with the law were often unjustly treated. Those who were had the right to appeal to the treasury department or to the federal courts for relief. He promised to give his early attention to the subject, however, and observed that it would be not only his duty, but his pleasure, to do all in his power to remove obstacles in the way of trade, and facilitate commerce between the two countries.

VENEZUELA.

[Extract from the report of the commission concerning its conferences with the Government of Venezuela.]

The commission had two long but informal conferences with Dr. Benjamin Quenza, the minister of exterior relations, at which he discussed with great candor the several suggestions offered as favorable to the promotion of commercial and international intimacy between the two nations. He expressed what he said was the feeling of both the Government and the people of Venezuela in thanking the United States for taking the initiative toward closer relations, and appeared to favor almost every proposition that was advanced. With reference to the estab-

lishment of a common coin to be the standard of value throughout the Americas, he thought there would be great difficulty in securing the assent and cooperation of Venezuela, not because of hostility to the suggestion, but because his Government had only recently adopted the coin system of the Latin Union, and would be reluctant to change its currency again so soon. He favored every other proposition, however, and would do all in his power to secure the assent of his Government to a reciprocity treaty under which the United States should receive concessions favorable to an increase of trade, and the capital of American investors in Venezuela should be guaranteed the fullest protection. He was emphatic in advocating the policy of confining American trade so far as is possible to American waters, and resisting the encroachment of European power. He realized that his Government and people had many interests in common with our own, and was ardently in favor of an alliance between the two countries for mutual advantage. In short, there was but one point in the instructions of the Department to the commission that did not receive his hearty indorsement, which was the establishment of a common coin, already alluded to.

The commission subsequently met President Crespo and his entire cabinet in a formal conference, at which the several topics covered by the printed letter of instructions from the Secretary of State to the commission were briefly submitted, and an expression of the views and policy of the Venezuelan Government invited thereupon.

The steamship communication between the United States and Venezuela is ample for the existing trade, and the owners of the line of vessels now making trimonthly trips are prepared to increase their facilities as fast as the demand requires. The merchants are cordially disposed to purchase merchandise in our country, and the convenience of reaching New York, as well as the distance, is in our favor; the products of our manufacturing and agricultural industries are more popular than those of other nations, and the difference in prices is not sufficient to deter the buyers of Venezuela from seeking what they want in our market. But the complaint is made that our manufacturers have but in few instances attempted to introduce their goods into Venezuela, and that when orders have in many cases been sent to them from here they have not been responded to as satisfactorily as similar orders sent to England and Germany.

The universal testimony of the merchants here is that the manufacturers of the United States fail in a great measure to comprehend the peculiar conditions of this market, or, at least, do not comply with them. It is strongly recommended, as a means of increasing trade, that intelligent and experienced agents familiar with the Spanish language be sent here to introduce goods, to make the acquaintance of the people, and to study the demands and tastes of the consumers. Wherever this has been done, a largely increased demand for American products has been the result.

COSTA RICA.

[Extract from the report of the commission concerning its conferences with the Government of Costa Rica.]

A memorandum was submitted the day previous, containing a list of propositions the commission desired to discuss, and this having been carefully studied by Dr. Castro, he was ready to respond promptly and with definiteness to each one. A copy of this memoranda is transmitted herewith, marked "Inclosure A."

Taking up the memoranda, Minister Castro explained in detail the position and policy of the Government of Costa Rica, which was to secure as close relations, both political and commercial, with the United States as the latter Government would be willing to allow. He realized that they were weak and in their infancy, so far as the development of Costa Rica was concerned, possessed of a rich and fertile territory, but without capital or population; their desire was to secure the development of the natural resources of the country by the encouragement of immigration, and through the assistance of a wealthy and powerful people, like those of the United States, who could absorb a great portion of the products of Costa Rica, and at the same time transmit in exchange most of the merchandise the Costa Ricans could not themselves produce. This Government, he said, would meet the United States more than half way on any measure that would increase trade between the two countries, and would give our people the preference in commerce where it could be done without infringing upon their treaty obligations with other nations.

Costa Rica was willing to guarantee the amplest protection to the persons and

property of citizens of the United States who desired to invest their means here and aid the development of the country.

Referring to Topic VI, Minister Castro said his Government was decidedly in favor of holding a conference of delegates from each of the American nations, where measures of common and mutual interest could be discussed. It would be eminently useful in many respects, and particularly in bringing the American nations into more cordial friendship and better commercial relations. The United States, being the oldest and most powerful of the nations, should, of course, take the lead, but the other Governments will suggest topics for consideration. He suggested, among other things, that the congress or conference should take measures to prevent wars between the American nations; that some plan be adopted by which all disputes between nations and all international differences should be decided and terminated by arbitration; (2) that it should prepare a code of international law for all America, and secure the protection of the citizens of one country residing in another; (3) that it should establish a uniformity of weights and measures in all American countries; (4) that it should adopt a coin of gold of equal weight and fineness to the one dollar of the United States, to be coined by each Government from the same design, but to be legal tender in commerce and in all business transactions between the citizens of the American nations, in such a manner that a dollar of the United States, of Mexico, of Costa Rica, of Colombia, of Chile, or Paraguay should be recognized always and everywhere as at the same commercial and intrinsic value; (5) to consider and agree upon other measures to facilitate and encourage commerce between the American States, and to unite them for mutual protection against the encroachments of European powers upon American territory and the interference of European authority in American affairs.

In case England should refuse to recognize the value of American coins of gold and silver, the American nations should establish a standard of their own, as in Costa Rica $16 of silver make an ounce of gold. Some such standard ought to be uniform throughout the world; but the tendency of Europe, said Dr. Castro, is to depreciate the value of silver because of its abundance in the American States, and the latter should resist this tendency by united efforts. If Europe will not recognize an equalization of the metals and a double standard of values, the American nations must find a remedy by refusing to purchase where their money is not accepted at its legal value. We can not compel Europe to accept our ideas, but we can compel that continent to accept our money, or go elsewhere for our goods. The effect would be to confine American commerce to American waters. The condition of Costa Rica is such now that it could not carry an arrangement of this kind into effect at once, said Dr. Castro, because the outstanding coinage could not be retired, and the currency would not immediately be reduced; but the Government is decidedly in favor of the proposition and will be able to carry it out by the time the remaining nations have agreed to adopt it.

The commission replied that the United States Government was not prepared to make any immediate change in this direction, but the topic had been proposed as one that eventually could be and should be adopted.

Referring to the other propositions in the memoranda, Minister Castro said that Costa Rica was ready at any time to enter into a commercial treaty with the United States, receiving reciprocal advantages and giving mutual concessions so far as could be made under "the favored-nation clause."

As to details, Costa Rica would declare free or reduce the duty to a nominal amount upon refined petroleum, agricultural machinery and implements, wooden houses built in the States and transported here for immediate erection, raw cotton, and other articles, so far as was possible under the present financial obligation, provided the United States Government should agree not to place duties upon coffee, hides, dyewoods, timber, cocoa, chocolate, casasmani (peanuts), maguey, rami, and other fiber plants, and such plants as are cultivated in Costa Rica for the manufacture of textiles.

"Are you authorized to make such a treaty at once?" asked Dr. Castro.

"No," was the reply; "we are only authorized to seek the views of the Costa Rican Government as you have given them and to learn what you will agree to, in order to report the matter to our Government for future action."

"Then," replied Dr. Castro, "it is better that I place my views in writing, in order that you may take them with you."

(A translation of this communication subsequently received is herewith transmitted for the information and future use of the Department, with the original, and marked "Inclosure B.")

The attention of Dr. Castro was called to the omission in his reply (verbal) of several articles mentioned in the commission schedule of articles on which the

customs duties of Costa Rica should be reduced, and he was asked if flour would be admitted free.

He replied that in consequence of the great reduction in the price of coffee the planters of Costa Rica had commenced to cultivate wheat, and they must be protected against imported flour. The same was true of wooden furniture, which was being manufactured by their own people of their own hard woods. With regard to pork and lard and salted meats he wished further time for reflection.

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[Inclosure A.]

Memoranda of topics to be considered at an interview between the Government of Costa Rica and the commissioners from the United States.

(1) The necessity of closer relations between Costa Rica and the United States, because of the unity of their political and material interests, by treaty stipulations securing mutual concessions.

(2) The United States being willing to lend its moral influence to Costa Rica in time of need and to exercise its power to prevent European interference in American affairs.

(3) A reciprocity treaty so framed as to produce the greatest good to the greatest number in both countries, drawn so as to avoid any violation of "the favored-nation clause" in existing treaties; guaranteeing on the part of the United States that products of Costa Rica now admitted free of duty shall be continued so, and that certain products of the United States, such as coal, raw cotton, refined petroleum, wooden furniture for household or office use, agricultural implements, preserved meats and fruits, flour, the material of which coffee bags are made, and that such articles as may hereafter be suggested, entering into the domestic economy of Costa Rica and in common use by the people of the country, shall be admitted free, or at a nominal rate of duty, at her ports; such concessions, however, to apply only to merchandise produced in the United States and brought in vessels carrying the flag of that country or Costa Rica.

(4) Such treaty to guarantee the protection of the personal rights and property of citizens of either country in the other.

(5) The establishment of a common silver coin, similar in value to the gold dollar of the United States, to be legal tender for all debts and in all commercial transactions between citizens of both countries and those of all the republics of the American hemisphere (to which the assent of Mexico and the approval of the minister of foreign relations of Venezuela has already been secured).

(8) The views of the Government of Costa Rica are desired as to the wisdom of holding a congress or conference of American nations for the consideration of such topics as may be suggested and for concerted measures to protect the peace and promote the prosperity of each other and preserve their integrity and independence against European interference and encroachments, the doctrine of the United States being that American nations are capable of determining what is best for their own interests, of settling their own differences, and should defend, encourage, and assist in the development of each other.

SAN JOSÉ, *February 24, 1885.*

NOTES.

[Bananas, coffee, hides, and rubber, the chief exports of Costa Rica, are admitted free into the United States.]

Article.	Duty per pound.	Article.	Duty per pound.
	Cents.		*Cents.*
Flour in Costa Rica	2½	Plows and harrows	1½
Coal	¼	Hoes, shovels, etc	4½
Cotton with seed	1½	Hams	3
Cotton without seed	3	Bacon	1½
Refined petroleum	6	Lard	1½
Wooden furniture	4½	Preserves and fruit	4½
When ornamented with glass or marble	9	Coffee bagging	½

[Inclosure B.]

Reply of the minister of foreign relations of Costa Rica to the memoranda of the Commission to the Central and South American States.

[Translation.]

The undersigned, minister of foreign relations of the Republic of Costa Rica, by virtue of a conference held to-day, has the honor to make the following declarations to the commission of the United States of America:

It is evident that between the United States of America and the Republic of Costa Rica there is a connection of political and material interests, and from day to day the mutual commerce between said countries increases. Hence proceeds the convenience of increasing their relations by means of a reciprocity treaty, and the Government of Costa Rica is desirous that one be entered into.

The same Government considers that in such treaty it should be expressly stated that it is a treaty of mutual compensation, and drawn so as to avoid violations of "the most favored nation clause," which existing treaties with other nations may contain.

It also thinks that the following two clauses should be considered the most essential:

(1) There shall be admitted free of duty in the United States sugar, coffee, cocoa, peanuts, ginger, bananas and other fruits, starch, potatoes and other roots used for food, pita (hat straw) and other fibers, rubber and other gums, hides and dyewoods, building timber, sawed or not; provided always that said articles shall be natural or cultivated products of Costa Rica's soil, and that this be properly made to appear in every importation.

(2) In compensation for the preceding clause there shall be admitted or remain free of duty cattle of every kind, salt, preserved meats, mineral coal, petroleum, raw cotton, wooden houses, bricks, tiles made of clay, lime for building purposes, agricultural and mining machinery; provided always that said articles be products of the United States, and that this be made to appear so in due form.

The Government of Costa Rica is also willing to send a representative or representatives to a congress of all the states of the continent, whose object it shall be to establish rules of international law in America, and determine upon whatever promotes the peace and the common interests of the nations comprised in it.

JOSÉ MA CASTRO.

NATIONAL PALACE,
San José, Costa Rica, February 27, 1885.
[SEAL OF STATE.]

According to the official statistics of Costa Rica, the aggregate of her commerce during the year 1883 with the United States was $1,431,909.65 of her money, and for the same year her commerce with England was $2,188,033.53. The United States during that year sent to Costa Rica merchandise to the value of $741,079.26, and received of her products the value of $660,830.35. Of these amounts California sent to Costa Rica $116,322.66, and received from her $175,260.

Great Britain received the bulk of the coffee of the country, and this draws with it the return to Costa Rica of large quantities of manufactures which could easily be supplied by the United States.

The commission received from the bureau of statistics of the Costa Rican Government a comparative statement showing the present relations of England and the United States in commerce with that country in merchandise which is produced in the United States in as fine quality and at a cost not greater than in Europe. In 1884 cotton goods to a value of $671,407 were imported from England, while the imports from the United States were but $102,331. Provisions to the value of $9,541 were imported from England and $17,594 from the United States; preserved meats from England, $1,224; from the United States, $7,960; hardware, $11,269 from England and $1,114 from the United States; agricultural implements, $4,802 from England and $6,292 from the United States; machinery of all kinds, $72,805 from England and $86.961 from the United States; wooden furniture, $6,535 from England and $10,500 from the United States. Although our own country sent to Costa Rica in 1884 a greater quantity of provisions, preserved meats, agricultural implements, machinery, and furniture, the excess was very small compared with England's advantage in cotton goods and hardware, for in these seven articles she had a total trade of $777,583, while the United States had but $232,781.

EXPORTS AND IMPORTS FOR 1884.

Statement showing the value of merchandise imported into Costa Rica from Great Britain, France, Germany, and the United States during the year 1884; also the value of products exported from Costa Rica to those countries during the same year.

Countries.	Imports.	Exports.	Total.
Great Britain	$2,024,750.58	$1,697,605.51	$3,722,352.09
United States	943,656.83	1,320,297.55	2,263,954.38
France	319,063.39	541,307.35	860,370.74
Germany	104,982.09	441,361.40	546,343.49

These values are given in Costa Rica money, which is legally worth 12½ per cent less than United States gold, but commercially worth 25 per cent less.

The imports from the United States are divided as follows:

From New York, $610,103.01; from New Orleans, $173,217.06; from San Francisco, $160,331.76.

The exports to the United States are divided as follows:

To New York, $762,298.35; to New Orleans, $163,828; to San Francisco, $394,171.20.

The larger proportion of the flour used has come from California, and the entire amount from the United States, which in 1884 reached 2,644,480 pounds, valued at $158,977. From California 1,465,482 pounds were imported, valued at $87,998.92; from New York, 583,342 pounds, valued at $35,000, and from New Orleans, 594,676 pounds, valued at $35,979.

The duty upon kerosene oil is 6 cents per pound, gross weight, or about 500 per cent of its value, so that oil which can be landed at Port Limon at a cost of about 15 cents per gallon costs $1.25 at retail in San José. Not long ago a company was formed, which asked from the Government a concession for the exclusive sale of refined petroleum, offering to pay annually into the treasury the sum of $10,000 and guarantee to furnish first-class burning fluid to the people at a retail price not greater than 85 cents per gallon, provided the duty was taken off. The Government declined the proposition on the ground that it would be placing one of the necessaries of life in the hands of a monopoly.

There is a disposition on the part of the Government to reduce the duty on this article, which is imported exclusively from the United States, and in its negotiations with the acting president, Castro, the commission asked that it be admitted free. Dr. Castro assented to the request, should a reciprocity treaty be agreed on between the two Governments, and named refined petroleum as one of the products of the United States which should be admitted without duty, provided the natural products of Costa Rica were permitted to remain as now upon the free list of the United States. To reduce the duty on petroleum one-half, or even two-thirds, would, in the opinion of the merchants of Costa Rica, result in an increased revenue to the Government by placing it within the reach of the poorer classes, and to make it free would secure its introduction into almost every household of this country.

The amount imported last year was only 248,894 pounds, valued at $3,884.60, while that imported in 1883 was valued at only about half as much, the exact figures not being given. All but $250 worth came from New York.

GUATEMALA.

[Extracts from the report of the commission concerning its conferences with the Government of Guatemala.

According to appointment, the commission met the President and his minister of foreign relations, who assented to each and all of the propositions embraced in the memoranda (inclosed) with a readiness that was surprising, and added that many other products of the United States now imported under high duty would be placed upon the free list of Guatemala, provided our Congress would remove the duty on sugar imported from Guatemala into the United States. The amount of sugar produced here now is not much greater than that required for home consumption, but the climate and soil are admirably adapted to its cultivation, and President Barrios is anxious to encourage the industry. Nearly all the refined sugar used by the wealthier classes is that of beets, which is imported from Ger-

many and France, and if an engagement of the kind would be entered into by the United States it would be easy to secure here a market for the same amount of refined sugar as might be exported from Guatemala to the United States in a raw state. The question will, however, be discussed by the commission in a report that will hereafter be made from this country.

With reference to the proposed congress of American nations, President Barrios said that he had promptly accepted the invitation extended in 1881 by our Government, and regretted that the project had been abandoned. When asked what topics he would suggest for consideration at such a congress, he exclaimed eagerly, "The union of Central America." That, he said, was a matter of the utmost importance to the United States, and it only required the cooperation of our Government to accomplish it.

Reply of the Government of Guatemala to the memoranda of the commissioners.

[Translation.]

OFFICE OF THE MINISTER OF FOREIGN RELATIONS,
Guatemala, March 25, 1885.

Mr. Secretary of the Commission of the United States of America to the Central and South American Republics:

In due time I had the honor to receive the memorandum of the points on which the commission desired to treat with the President and myself at the conference which took place the 12th instant. Although already, in that conference, the President assured the commission that he was in accord with all the points said memorandum contained, to comply with the desire of the señores ministers which you have indicated to me, I want to express again by these presents, in substance, the declaration of General Barrios.

(1) The Government of Guatemala is thoroughly convinced of the necessity of more intimate relations between the United States and it. He desires fervently that they may be established, and will do on his part whatever may tend to secure them; and is disposed with his best will to make treaties in which mutual concessions shall be secured for both countries.

(2) The Government of Guatemala accepts gladly the manifestations made to it of the desire of the United States to lend its moral influence in case of necessity to prevent European interference in American affairs, and considers that such influence and attitude will be very important and beneficial.

(3) The Government of Guatemala is disposed to arrange, and it has already taken some steps toward it, a treaty of reciprocity, drawn so as to produce the greatest possible benefit to the greatest possible number of inhabitants of both countries, according to the terms proposed in the memorandum, but without prejudice or stating in detail the articles included on both sides, but with the understanding that among those articles to be received free produced by Guatemala shall be included sugar.

(4) The Government of Guatemala has no objection to sign treaties with the United States guaranteeing the protection of the individual rights and the property of each of the citizens of both countries respectively; on the contrary, it is persuaded that owing to the increase of commercial relations being effected, and to the community of material and political interests, it will be very advantageous and important to enter into them.

(5) Neither has it any objection to establishing a silver coin equivalent in value to the American gold dollar, to be coined by both Governments in the desired quantity, but having a uniform degree of fineness, to serve as legal tender for all debts and in all commercial transactions between citizens of both countries and of all the Republics of the American hemisphere.

(6) Already, before this, the Government of Guatemala has manifested in the most expressive terms the sympathy with which it embraces the idea of a general congress of the American nations to take under advisement many important points, and to dictate, with the common consent of all, measures to protect peace, promote the prosperity of all, and maintain their integrity against the intervention or advances of Europe. The Government of Guatemala would hasten with enthusiasm to that congress with the representatives desired; it is confident that in this way a true and respectable American international law could be established, under cover from all unjust pressure; and arbitration could also be established to which all the American nations should appeal for the decision of questions arising among them.

Before concluding, may I be permitted to manifest to you the desire of the President that you should take note of the satisfaction with which he would see

the exercise of the powerful and decisive influence of the United States for the realization of the union of the five States of Central America into one single nation. This accomplished, the guarantees of North American citizens in Central America would be more efficacious, agriculture and industry would be signally developed, and commerce and consumption would increase in analogous proportion.

In this matter also, and by virtue of the more favorable condition in which the country would be placed, the existing treaties with the United States could be replaced by others which might contain fuller and more liberal concessions for North America, and in which, aside from increasing the articles on the free list, a reduction of duties could be agreed upon for those still on the tariff, in respect to what those articles would pay which do not originate in the United States.

I am, with distinguished consideration and esteem, your very attentive servant,

FERNANDO CRUZ.

We had given to Señor Cruz a brief statement of the points we proposed to bring before the President, so that when the interview took place he was prepared at once to state frankly his views, The conference lasted some hours, and was attended by us, with the secretary of this commission, by President Barrios, and Señor Cruz.

We called the President's attention first to the termination by this Republic of the treaty of amity, commerce, and navigation that formerly existed between our country and Guatemala. He stated that the denouncement of that treaty was made, not from any desire to suspend friendly relations with us, but it was part of a general suspension of all treaties with other nations, it being the desire of Guatemala to form new treaties in which the "most-favored-nation clause" should not be inserted, and we were assured by him that in any future negotiation with this country the United States will not be embarrassed with that provision in existing treaties with other states. The President of this Republic stands ready at any time our Government may move in the matter of a general treaty, as well as a reciprocity compact, to conclude both. As long as President Barrios remains at the head of affairs here our country may be assured of an enlightened and consistent friend, one who has by personal observation been deeply impressed with the republican ideas which sustain our remarkable growth and development, and who earnestly believes that the adoption by his own people of the same principles will work out for them the same beneficent results. We believe the conclusion of carefully considered and properly guarded treaties of amity and reciprocity with Guatemala will draw the Republics into more intimate international and commercial relations; will open more fully the markets of Central America to our people, and will aid, by the infusion of capital from our country into the many lucrative fields of investment in this land, the growth in population, wealth, and the general progress of the people; for whether the union before spoken of be at present effected or postponed, it is sure to come finally; and as before stated Guatemala contains a very large proportion of the people of five republics, and any treaties she may conclude will form very persuasive precedents for the others. We desire to express our conviction of the wisdom of negotiating and concluding these conventions with Guatemala at as early a day as possible, if they, or either of them, are deemed advisable by our Government.

PROPOSED RECIPROCITY TREATY.

In discussing the question of reciprocity, President Barrios was aware of the free list of our import laws, and that it covered most of the exports of Guatemala; yet he expressed his desire to secure the permanency of that free list by a suitable reciprocity arrangement whereby our country should enjoy a much greater access to the markets of Guatemala than it does at present. He said that if such a treaty could be entered into he would gladly admit free our mineral coal, raw cotton, refined petroleum, wooden furniture, flour, agricultural implements, cured and preserved meats, fruits and vegetables, dressed lumber, wooden houses, hardware of all kinds, lime for building purposes, tiles made of clay, salt, live stock of every kind, material (manufactured or raw) for coffee sacks, provisions and lard, and such other articles (to be more specifically mentioned and agreed upon hereafter) as enter into the domestic economy of the country; the concession, however, to apply only to merchandise originating in our country and transported in vessels carrying the flag of the United States or Guatemala. For this broad concession the President desired a like concession for all the products of his country in the markets of ours.

As far as we can now remember, this would not change our present law in any very essential material with the exception of sugar and tobacco. These two prod-

ucts are not now produced in Guatemala or any other State of Central America in any very considerable exportable quantity, and refined sugar under the proposed arrangement would come to Guatemala from our country, little or none being manufactured here. But were our markets open to the sugar of Central America, we believe there would be in a few years an immense development of the sugar interests of this country. The cane grows vigorously in the tierra caliente, but its saccharine properties on the eastern coast are said to be from 2 to 3 per cent less than that which flourishes in the tierra templada, owing to the frequent rains of the Atlantic coast. Some of our informants think it will be many years before these fertile but frequently deluged lands will be devoted to this industry, other tropical productions being more profitable, notably bananas and cocoa, vanila beans, and india rubber. It is safe to say that, including these hot lands, about 100,000 square miles of Central America is adapted to the production of sugar cane. The product from the new lands first brought into cultivation would for years be surprising, for many of the estates would turn off two crops annually, especially in all those parts where the numerous streams of the country could be employed for irrigation. Then, too, the cane plant in all this country is almost perennial—at least, good for ten years, and under some conditions for forty years; so that, if once such a market as our country were free to the sugar of this country, with the frequency of the crop, its enduring plants, the cheap labor of the country, and the extraordinarily rich saccharine qualities of the juice, there might be expected in a few years a production here impossible of close estimation, but it would be very great.

INTERESTS TO BE AFFECTED.

Whether the tobacco interests would be likely to augment in the same proportion, whether the country is as extensively adapted to the growing of this crop or the product as fine as is generally used in the United States, we can not say. For some time it would not probably exceed the domestic demand, for the best cigars are imported even over a protective duty on them. Yet it is manifest that reciprocity in a treaty can not be all on one side. If the United States is to have Central America purchase her imports almost exclusively of us, we must in turn aid this country in producing at the most remunerative prices the products most congenial and profitable for her soil and climate. If our instructions as to the desirability of reciprocity treaties are to be carried out, it follows that there can not be an exception made of the most national and profitable article of export raised by the nation with which we seek to establish this free interchange of commerce. We can not establish more "intimate international and commercial relations" with these States through the instrument of reciprocity treaties without making them in fact what their name implies. That such relations would follow the creation of such new bonds is very true. Whether their cost is too great is a consideration we are not instructed to determine. We only report that Guatemala, for the privilege of carrying her peculiar products to the markets of the United States, stands ready to admit free of duty into her markets the peculiar products of our fields, shops, and manufactories. Beyond doubt the consumption of cotton goods in this country, manufactured in the United States under the proposed arrangement, would at once immensely increase. Cotton fabrics largely come from English factories, and they form the chief material for the clothing of the people. An exclusive market here for these goods tends to exchange the value of our cotton fields and manufactories. The raw material and all its multiform uses would feel the impetus of such a consumption. To this is to be added the immediate increase in our exports to this country of petroleum, flour, provisions, canned goods, and grape products, and other enumerated articles, all of which would share the advantage of unrestricted trade with this country. It is to be considered whether in any light the balance of profit to our country under this arrangement would not exceed the possible detriment to the sugar interests of the United States. In any case the great cost of freight and insurance is always a factor in favor of the sugar grower of the United States. How far all these balancing considerations are tenable and controlling can only be determined by the test of experience, and is a question for our legislative authorities to decide.

FRIENDLY ATTITUDE OF GUATEMALA.

President Barrios gave his assent as to the protection such treaties should afford to the persons and property of the subjects of either country in that of the other. He also thought the proposition to establish a common silver coin which should be current in all the American States a valuable suggestion: and the coin to be coined by each Government and in such quantities as might be agreed upon, and

to be legal tender for all debts and in all commercial transactions between the citizens of the different States of the American hemisphere.

The proposition of a congress of all the American States for the consideration of questions affecting them all; for the adoption of measures for the permanence of peace with each other, and the preservation of the integrity of each against European interference or aggression; to devise means for the adjustment of disputes without bloodshed; and, finally, to make the different States composing the congress better acquainted with each other and their respective wants and propensities—all this met the warm approval of the President. He believed such a convention, based on the equal rights of each member, would produce harmony of action and of institutions among all the States, that against the measures and policies adopted by the congress no member would offer opposition, and that other nations would respect the policies so promulgated.

Subsequent to this lengthy interview we met the President and the different members of his cabinet frequently, and the general matters particularly mentioned above were subjects of conversation.

There is no mistaking the entire friendly attitude of this Government toward our own, and its sincere desire to be on the kindliest terms with us both as nations and as people, seeking new and better markets. The President and his ministers opened to us every avenue of information in their power as to the resources of the country, its internal improvements and economy, its institutions and commerce.

The unvarying courtesy shown us by the President and all in authority under him we desire to acknowledge in the fullest manner: no recognition of any country through her representatives could have been more ample and cordial.

The foreign commerce of Guatemala is very large in proportion to the population of the country. The value of exports varies from three to five millions annually in Guatemala dollars, according to the price of coffee, and the imports average about three millions annually.

Imports.

Years.	Amount.	Years.	Amount.
1870	$1,347,897	1880	$3,035,536
1871	2,403,503	1881	3,664,674
1872	2,269,214	1882	2,652,042
1873	1,991,830	1883	2,030,893
1874	3,054,004	1884	3,281,698
1879	2,929,461		

The revenues of the Government amount annually to about four millions and a half of dollars, being mostly derived from a tax on imports. The following statement gives the amount of goods imported from each of the countries with which Guatemala has commerce, and shows the proportion enjoyed by the United States.

Table showing the value of merchandise imported into the Republic of Guatemala from the 1st of January to the 31st of December, 1884, and the countries from which imported.

Countries.	Value.	Countries.	Value.
England	$1,735,954.87	China	$48,594.32
France	450,365.75	Belgium	29,781.25
California	391,782.50	Belize	28,937.48
Germany	170,824.35	Central America	14,569.77
New Orleans	103,548.00	United States of Colombia	10,314.05
New York	98,296.18	Chile	2,536.00
Switzerland	75,173.61		
Spain	60,387.49	Total	3,281,698.46
Italy	51,632.60		

Imported through the port of San José	$2,535,214.20
Imported through the port of Champerico	589,785.84
Imported through Livingston	156,698.42
Total	3,281,698.46

Statement showing the value in Guatemala money of merchandise imported into Guatemala during the last five years, from Great Britain, France, and the United States, respectively.

Year.	United States.	Great Britain.	France.
1880	$655,846.69	$1,037,224.77	$535,682.94
1881	439,309.67	1,123,623.43	501,236.55
1882	379,598.15	961,604.50	297,469.75
1883	529,458.15	827,574.75	149,687.20
1884	593,626.98	1,735,954.87	450,365.73
Total	2,597,839.64	5,685,982.32	1,934,442.17

It will be seen from the above statement that England sends more than three times as much merchandise to Guatemala as the United States, which, from its three ports of San Francisco, New Orleans, and New York, sent goods to the value of $593,626.98. Of this amount the greater part of the imports from New Orleans to Livingston were railway supplies brought in by the Government.

In the appendix to this report (marked Inclosure C) will be found a statement giving the amount of each of many different articles imported into Guatemala during the year 1884, which shows the character of goods consumed by the people.

ARTICLES OF EXPORT.

The chief exports of Guatemala are coffee, sugar, and rubber. Formerly an immense amount of cochineal was exported, but the cheapness of aniline dyes has driven this curious product out of the market, and the cochineal plantations have given place to sugar and coffee, only a small amount being raised to supply the local demand. So late as 1872 it was an extensive article of commerce, in that year 114,000 pounds being exported, while exports of previous years reached as high as 150,000 pounds; but the adoption of other coloring materials has been so general that the value of the export last year amounted only to the sum of $405, against $9,200 in 1883, and the millions of dollars' worth which were shipped formerly.

Rubber is becoming quite an important staple in Guatemala, and its cultivation is being engaged in with great success on both the Atlantic and Pacific slopes of the Republic. The natural product can be improved by cultivation, and it is found that by regulating the yield the gum is of much better quality. Formerly it was the custom to destroy the tree entirely at the first tapping, but the rubber planter now exercises as much care in guarding his groves as the New York or New England farmer his maple-sugar bush. In 1870 there were exported from Guatemala only 1,800 pounds of rubber. In 1880 the export was 25,900 pounds; in 1881, 188,100 pounds; in 1882, 345,900 pounds; in 1883, 345,400 pounds; and in 1884, 352,000 pounds, the average value being about 75 cents per pound in Guatemala money, which is usually at a discount of from 20 to 25 per cent as compared with United States gold.

Small quantities of indigo, mahogany, and other fine lumber, woods, sarsaparilla, and dyewoods are exported, and the bananas shipped annually from Livingston are now valued at from $20,000 to $30,000 a year, but the chief articles of export are coffee, sugar, and hides. In 1883 the value of the latter article exported reached $151,548, and in 1884 $157,775. In the appendix to this report will be found (marked Inclosure D) a statement showing the value of the principal products exported in 1884.

SUGAR AND COFFEE.

Although Guatemala sugar is regarded as a superior article, and the cane grows with remarkable luxuriance here, this country has not yet come into active competition with the West India Islands with this staple in the markets of the world. The Government is, however, encouraging its cultivation, and it will eventually become the source of great wealth and profit. In 1854 the number of sugar plantations in Guatemala was 2,247, covering but 15,000 acres, yet the product amounted to 3,862,000 pounds (about 260 pounds to the acre), valued at $270,000. The product of the previous year, 1883, was nearly double that of 1884, although there seems to be no reason offered for the decrease. The exports of sugar in 1879 amounted to 134,000 pounds, in 1880 to 410,000 pounds, in 1882 to 1,374,000 pounds, in 1883 to 4,462,000 pounds, and in 1884 to 3,795,000 pounds, valued at $151,837.

The chief product and greatest source of wealth in Guatemala is coffee. The

greater part of the crop goes to Europe, where, the shippers say, there is a more active demand for the best quality than in the United States. Guatemala coffee is usually sold in the market under the name of Mocha, as it resembles closely the genuine Arabian berry, which is no longer produced in any quantity. The number of coffee plantations in Guatemala in 1884 was 5,431, with 60,301,213 trees, which produced a crop of 495,385,500 pounds, valued at $4,953,850, almost the entire quantity being exported. The exports of coffee have rapidly advanced since 1870, when the Guatemala product first came into active demand. The annual export from 1870 to 1884 was as follows:

Year.	Pounds.	Year.	Pounds.
1870	11,322,900	1880	28,976,200
1871	11,322,900	1881	26,037,200
1872	13,913,700	1882	31,327,100
1873	15,050,600	1883	40,406,900
1874	16,158,300	1884	37,130,600
1879	25,201,600		

The value of coffee exported in 1883 was $4.818,832, and in 1884 $1,455,677, in Guatemala money, being about 11 cents per pound in Guatemala money.

Imports of merchandise into Guatemala during the year 1884.

Articles.	Value.	Articles.	Value.
Vegetable oils	$14,859.45	Building timber	$35,594.00
Whisky cognac, rum, gin, aguardiente	35,124.70	Machinery	48,475.70
Cotton thread or fabrics	1,607,362.34	Medicines	52,952.85
Firearms	1,758.00	Silk goods	23,738.46
Boots and shoes	3,697.42	Wooden furniture	1,143.50
Cinnamon	20,845.00	Articles of public instruction and charity	10,837.94
Carriages	2,600.00	Paper of all kinds	41,694.37
Barley	4,386.20	Perfumery	5,873.65
White wax	3,122.50	Petroleum and naphtha	14,764.00
Beer	29,856.20	Pianos	10,950.00
Canned goods and vermicellis	47,593.87	Tanned hides	56,863.84
Glassware	10,725.63	Fine jewelry	19,145.00
Money	82,932.00	Notions	24,678.26
Sundries	11,375.40	Watches and clocks	3,956.00
Drugs	21,462.94	Empty sacks	26,384.83
Sperm candles	14,798.15	Common salt	4,122.30
Matches	7,235.76	Silk stuffs and threads	102,835.72
Flour, 54,542 quintals	118,490.00	Saddles	946.25
Iron in bars, sheets, and ironware	85,852.25	Hats, all kinds	23,751.68
Agricultural scientific instruments	2,728.80	Roofs, pipes, wire (barbed), carts, wagons, hose	18,462.70
Wool thread or fabrics	146,294.34	Wheat, 28,695 quintals	60,128.51
Printed books	12,627.50	Railroad material	328,426.37
Liqueurs, sweet	5,386.65	Wine	48,697.40
Linen fabrics	11,743.17		
Earthenware	15,490.86	Total	3,281,698.46

Exports of products from Guatemala during the year 1884.

Articles.	Value.	Articles.	Value.
Sugar	$151,827.80	Beans	$5.20
Indigo	7,833.75	Guaco	2.16
Rice	24.90	Cattle	600.00
Balsam	198.00	Rubber	352,003.00
Bananas	30,048.15	Pictures	800.00
Coffee	4,455,677.28	Mules	1,375.00
Cochineal	406.00	Lumber	14,082.64
Hides	157,775.80	Minerals	532.00
Deer skins	9,924.80	Lard	100.00
Manati skins	100.00	Pineapples	320.40
Horns	226.55	Woolen clothing	9,253.50
Cacao	596.80	Sole leather	2,532.40
Cocoanuts	1,711.00	Sarsaparilla	6,323.00
Casave	9.00	Sundries	500.00
Beer	60.00		
Horses	240.00	Total	4,937,941.13
Money	32,852.00		

ECUADOR.

[Extracts from the report of the Commission concerning its conferences with the President of Ecuador.]

After expressing his pleasure at receiving the Commission and apologizing for the informality of the reception, President Caamaño explained that the chief obstacle in the way of increased commerce was the small demand in the United States for cocoa, the principal article of export of Guayaquil. Two hundred and fifty thousand quintals (25,000,000 pounds) of cocoa, valued at $3,500,000, gold, were sent from Ecuador to Europe annually, as well as large quantities of coffee and ivory nuts, while the exports to the United States consisted of a small amount of rubber and hides. The high rates of transportation to and from the United States also prevented trade from going that way, as the merchants of Ecuador naturally purchased in the markets which could be reached most cheaply, and where most of their exports were sold. The President thought trade with the United States could be very much enlarged if the two Governments would combine in giving their encouragement to the establishment of a new line of steamships to compete with the English line, which now has a monopoly of the commerce on this coast. That line now receives a subsidy from the Government of Ecuador, which would not be renewed another year, but would be given to any company that would establish competition and secure lower freights.

With regard to a reduction of duties upon articles imported from the United States, the President said that the Congress of Ecuador which meets in June would enact new tariff laws and revise the customs duties. He had recommended a reduction of the duty upon refined petroleum and some other articles, but as the revenues of the Government were derived solely from this source it was compelled to tax imports to sustain itself. The total imports of Ecuador, he said, amounted to about $10,000,000 annually, and came mostly from Europe. If the duty upon imported articles from the United States was reduced, the Government would be compelled to increase it upon those imported from Europe in order to secure the necessary revenue, which would hardly be fair, as Europe purchased most of their products. Ecuador was now negotiating a commercial treaty with Spain, where a great portion of the cocoa was sold, and concessions were to be made by both Governments for the benefit of commerce.

A similar treaty would be made with the United States if a market could be found in the latter country for more of the products of Ecuador.

The President said there was a fine field in Ecuador for the investment of capital, and thought if American capitalists would come into his country to occupy it trade with the United States would be largely increased. He was anxious that some American should undertake the construction of a railroad from Guayaquil to Quito, which he said would cost about $4,000,000, gold, and would be a great aid to the development of the country.

With reference to the proposed congress of American nations, he said the idea received his approval, provided the other republics would agree to send delegates, but he thought its objects should be purely commercial; otherwise jealousy among the republics might be excited. He did not think it possible to secure a union of the American nations to resist European aggressions in this hemisphere, as it would practically amount to the smaller nations acknowledging a protectorate from the United States, which was the most powerful. Chile, for example, would resist any such proposition. There might be a commercial convention for all the nations, and a political convention would naturally follow in time.

Ecuador was not much interested in the establishment of a common silver coin, to be legal tender in all the American nations, as it has no mint and no mines, but such a coin might facilitate commerce, as it would reduce exchange. He was in favor of the United States issuing such a coin and securing its acceptance by the other republics. The theory, he said, was a good one, but it would be difficult to secure its adoption.

The President explained to us that the Government had no official record of the amounts of the annual imports of Ecuador; that the only port of the state is Guayaquil, and that the authorities were just now beginning to gather the statistics for the purpose of showing the whole commerce of the Republic each year. He stated that the imports for 1884, in his opinion, estimated from customs receipts, were about $10,000,000. This computation was based on the money of Ecuador, which is worth about 75 per cent of American gold, making the imports equal about $7,500,000 of our money.

From our vice-consul, Mr. Martin Reinberg, we learned that all the exports of Ecuador pass through the mercantile houses established at Guayaquil, and that, as reported to him by these merchants, they were a small fraction under $6,000,000.

equaling about $4,500,000 of our money. Mr. Reinberg, who is an extensive importer, accompanied us in our visit to the President. He coincides in the President's estimate of the imports. The impoverishing effect of this disparity between the income and outgo of the Republic we will advert to hereafter.

The subject of a reciprocity treaty was broached, whereby Ecuador might insure a free market in our ports for her products, and in return therefor receive our manufactures and products without imposts. The President said that to this arrangement there were several obstacles more or less serious. The first, and probably most formidable, was the necessity of his Government to lay duties on all imports to procure funds to maintain the public expenses. Aside from a small export duty upon hides and cocoa, and some other products, and a monopoly of the salt and powder trade, the Government relied wholly on imports for its revenue. He mentioned, however, that the question of imposing a tax upon spirits was under consideration, and would be presented to Congress at its ensuing session in June. The admission of American goods free of duty would of course transfer the imports to the manufactories of the United States, and this would cut off the revenues, and besides, this convention would give Ecuador trouble with those nations having treaties with her containing the "most favored nation" clause.

We sought to show the President that as to this latter objection the agreement between his Government and our own would be based on and for a consideration impossible to be given by any other power, and hence the mutual concession would be outside of the stipulation in any other treaty. This he conceded; but as to the question of destroying the Ecuadorian revenue from customs, we could only say that possibly the Government might devise other sources of revenue, such as a tax on the manufacture and sale of spirits, wine, beer, and tobacco, as in our own country; licenses on certain business or occupations, specific stamp duties, and even a land tax. Of course the President felt that each of all of these modes of taxation was more difficult of enforcement than the collection at one custom-house of the entire revenue of the State. As before stated, he said the feasibility of an income from a tax upon spirits was now under consideration and would be acted upon by the next Congress, but he did not appear to know what sum could be realized in this way nor how far it would enable him to reduce customs duties.

TRADE OBSTACLES.

The President also suggested that as the great bulk of their exports now went to other countries than ours, their cocoa to Spain, France, England, and Germany, their coffee to Chile, their cinchona, or quinine, to England, the United States coming fourth or fifth in the list of countries taking these products, the proposition seemed to give to the United States too much for what was received. As to this we replied by asking his views as to an arrangement whereby Ecuador should exempt certain articles of American manufacture or origin, instancing petroleum, to the same extent in value that our country took the products of Ecuador; submitting it to him whether such an inducement might not add to the consumption of the peculiar products of Ecuador in the United States, adding that it was our belief the use in the United States of the chief article of export, chocolate, was increasing, and that as the great merit of the cocoa of Ecuador became better known by our people it would more largely be consumed. Without further discussing this subject, the President said the tariff of Ecuador would be revised by the next Congress, and that he intended to recommend a reduction of duty upon kerosene oil, which now is taxed at the rate of 30 cents per gallon; for he believed a lower rate would produce the same revenue and cheapen the article to all consumers, and that it might be possible to carry this reduction to other of our products, such as flour.

The value of a common silver coin current in all the countries of Central and South America and the United States in promoting commerce between these States and facilitating exchange, he highly appreciated; but added that as yet Ecuador had been unable to develop her silver mines, and hence had none of the raw material to coin. He also said that as their products were not marketed in the States forming the agreement for a common coin, it might prove troublesome in receiving pay for their products shipped to Europe. The theory, he said, was magnificent, but practice would test its value. He wanted to know how Spain, for instance, would pay for the cocoa of Ecuador; if in fact the proposed measure would not force Spain to either use this coin or its equivalent. To this we replied that Spain bought this cocoa because nowhere else could she buy an article of like quality and flavor at the same price, and that possibly this standard value of the silver coin would give it increased power as a circulating medium in Europe, and that in any case if it was of less value than the money of Spain and yet had a larger purchas-

ing power than its intrinsic value, it would be profitable for Spain to pay her debt to Ecuador in this coin. The President assented to the correctness of this view.

On the subject of a congress of representatives of all the countries of Central and South America and the United States, he felt the project to be one out of which great good might come. He desired to know whether it was intended to have the congress meet at New York. That, we told him, was a matter for future arrangement; that all we now were instructed to ascertain were his views on the advisability of such a convention, and the subjects it should discuss and the measures it should adopt.

His reply to this was that he fully approved of the meeting, provided all the States mentioned would assent to it; and that at first the body should only consider commercial questions; that in time the adjustments agreed upon in these matters would draw with them international measures, such as an agreement to submit disputes between the States to impartial arbitration instead of war; a united front against European aggression and interference in the domestic affairs of the parties to the agreement. But he thought these latter matters could not safely at first be agitated.

We finally asked the President to mention the obstacles to American commerce with his people, and what measures to remove them he would advise. To this he responded that one of the chief barriers to business with our country was the enormous freight charges to and from the United States. The transportation of the commerce of the coast between Panama and Callao was almost wholly in the hands of one company, and it made its tariff so high as to crush out many branches of trade and reduced the remainder to the smallest dimensions. It seemed to be the aim of that company to make its charges just as large as the traffic could possibly bear. To remedy this he thought the people of our country should establish a separate line of steamers, largely reducing the present onerous charges. To that end he said he and his people would gladly do all in their power; that Ecuador could and would say, if necessary, that no coasting trade should be done in her ports save in ships of Ecuador or the United States. If our people would join with his in establishing such a line and fix its charges at fair rates, the project was feasible and would prove profitable.

We also learned from the President that a treaty was being negotiated with Spain, the largest customer for their principal product (cocoa), but that further progress had been suspended by him until the new tariff should go into effect, probably in July next, and we received the impression that his Government would be glad to treat with ours on as favorable terms as it should grant to Spain. Our interview with the President closed by repeated assurances of his high admiration of our country, and the earnest desire of himself and people to be more intimately associated with us in friendly and commercial relations.

FREIGHT CHARGES.

We gathered from several gentlemen information touching our trade at Guayaquil, which we may summarize in the following manner: Referring to the freight question mentioned by the President, and reiterated by every merchant we conversed with, we found that the usual charge per ton by steamers from New York to Guayaquil is $30, and from England it is a little less than $27, while for sailing vessels it is only one-half to Liverpool, Bordeaux, or Hamburg what it is to New York. In the case of very heavy shipments these rates are subject to some modification. It will be seen at once that, other things being equal, the foreign dealer has in this item a marked advantage over those of our country, the difference in freight alone in some articles being a fair profit. The same hindrance we found stood in the way of the flour of California seeking a market here. The supply comes almost wholly from Chile, though the California article is much preferred. One importer told us that three years ago flour from San Francisco cost him $12 per ton in gold for freight, while the Chile product cost only $8 and $10, and when brought in sailing vessels only $4 per ton. He was discouraged with the venture, and imported no more flour from California. Were the freights less California would monopolize the flour trade of Ecuador, for, at the same price, its superiority would control the market. On this point we can add nothing to the facts we have stated. So long as all the business of this coast is done in foreign ships, diverting trade to their own countries and remaining unrestricted as to charges, it seems for that time the balance of the business will go to other nations than our own. A line of steamers, cared for and fostered by our people, limited as to charges, would soon absorb the bulk of the business here, other things hereinafter mentioned being rectified. Whether this shall be done by the direct intervention of the Government in some form, or shall be left to private enterprise

aided to a certain limit by the Government, is a question we need not discuss, since its settlement depends entirely upon Congress. That the people here have a just ground of complaint appears obvious. From Panama to Valparaiso is about the same distance as from New York to Liverpool. A passenger pays for the latter trip about $75; for the former, $250. The same extraordinary disproportion in freight charges exists. We were informed that not long since a rival steamship line began business along this South American coast. It was bought up by the old company at a large sum, and thereupon the old company raised its freight and passenger charges 20 per cent for six months to reimburse itself for the outlay. The statement seems incredible, but our informant insisted on its accuracy. Of course the expense of coal is far greater here than on the Atlantic, but the increase hardly warrants so marked a difference in charges.

THE COMMERCE OF ECUADOR.

Ecuador buys her goods abroad in this order: First England, then France, then Germany, and then the United States. We take all her product of caucho, or india rubber, nearly all her hides; but of her chief product, cocoa, Spain comes first, then England, then Germany, then France, and then the United States. Of coffee we take about one-seventh of her export; of her cinchona the same proportion, and of her vegetable ivory, nothing yet. This latter is quite an important element in her resources, Germany being her best purchaser, taking last year over half the export, or 1,332,109 pounds. We send to Eucador chiefly hardware, especially the Collins goods. Kerosene oil and lard and some cotton goods also are imported, but all the other importations are against us.

PERU.

[Extracts from the report of the commission concerning its conference with the Government of Peru.]

FOREIGN COMMERCE.

We pass now to the consideration of the commerce of Peru at the present time. As before stated, the custom-houses of the country have no records showing the imports and exports since 1877. And in this connection it is to be observed that Peru relies almost wholly upon her customs for revenue, and that these are very heavy, as the accompanying statement, translated by our consul, Mr. Brent, fully shows, and hence as to imports the total must be enlarged by some estimate of those goods that illicitly enter the country. This is a large item as to all those articles capable of concealment about the person, and those, too, which can be carried ashore clandestinely in small boats. The table of port wharfage and like dues at Callao, as submitted by Mr. Brent, also exhibits the enormous burden commerce at this chief port endures; but as that is common to all importations, it does not materially affect our trade more than that of other nations.

The commerce of Peru with the United States was formerly very large, but it has now been reduced to a mere nominal amount, including only those articles which can not be purchased elsewhere. Before the late war with Chile large imports of wheat, lumber, lard, kerosene, canned goods, trunks, clocks, sewing machines, railway and street car supplies, household utensils, perfumery, patent medicines, cordage, sail cloth, and other articles were made from the United States. But during the first six months of 1884 less than $300,000 worth was imported from our country, of which $5,000 was lumber, $22,000 lard, $40,000 kerosene oil, $15,000 wheat, and $130,000 general merchandise. In linen, cotton, and woolen goods the United States has no hold on Peruvian commerce, nor can our merchants obtain one until the business system at home is modified to meet the requirements of this coast, the chief obstacles being found in the matter of credits. English and continental importers, through their agents and consignees in Peru, until the recent financial crisis, gave credit to the purchasers, sometimes extending to eight, ten, and twelve months, and naturally the purchaser prefers dealing with merchants granting such privileges. This refers particularly to linen, woolen, cotton, and other forms of wearing apparel with which the interior Peruvian markets are supplied by merchants on the coast, who are compelled to give credit to their customers and expect credit of those of whom they buy. Custom and habit also have a great influence in Peru, as in other Spanish-American countries. The purchaser becomes accustomed to a certain class of goods with a

peculiar trade-mark or some special token or medal attached to the bale or parcel of goods, and on no account will he invest in any other description of the material if the old one can be had. This conservatism of the Peruvians, which is especially marked in the interior, is at once apparent from the fact that they use the same implements of agriculture and husbandry that were employed at the time of the Spanish conquest. American hardware and agricultural machinery might be pushed in the interior by means of active agents and by paying attention to the form of packing necessary for transportation on muleback.

FORMER PROSPERITY.

From 1870 to 1880, before the war with Chile began, the exports from the United States to Peru averaged nearly $2,000,000 annually; but they have now fallen off until the average is less than $500,000. In 1875, for example, which was one of the average years when Peru was at peace, she imported $2,480,000 worth of merchandise from the United States, consisting of iron and steel, $1,100,000; lumber and furniture, $411,000; provisions, $200,000; petroleum, $105,000; breadstuffs, $75,000; cotton manufactures, $26,000; cordage, $12,000; drugs, 27,000; tobacco, $15,000; and about half a million dollars' worth of other merchandise. This trade has so far fallen off that in 1883 we exported to Peru but $75,000 worth of iron and steel, $113,000 worth of lumber and furniture, $83,000 worth of provisions, $46,000 worth of oil, $11,000 worth of drugs, $600 worth of tobacco, $60,000 worth of breadstuffs, $7,000 worth of cordage, and $42,000 worth of cotton goods.

As has been said above, no commercial statistics have been published in Peru since 1877, owing to revolutionary movements and the war with Chile, and it is not possible to give any accurate estimate of the commerce of the country since that time. The last official statistics published gave the imports from England at 10,625,898 soles; France, 3,940,832 soles; Germany, 2,788,973 soles; the United States, 1,785,515 soles. (The value of a sol is intrinsically that of the Mexican dollar. In commerce to-day it is worth 75 cents United States gold.) Since that date Peru has lost two of her principal custom-houses, Arica and Iquique, and no imports have been effected at Mollendo for over a year past. Hitherto Peru has got her cotton goods mostly from England, some from France and Germany, and only a few from the United States. Woolen goods have come mostly from France and Germany, her linen goods from the same countries, and her silk from France and China. Her furniture has mostly come from the United States; her ready-made clothing from France and England; her general merchandise from England, France, Germany, and Italy, with a considerable amount of what are commonly termed "Yankee notions" from the United States. Most of her breadstuffs have come from Chile and the United States; her fine preserved fruits from England and France, and her preserved provisions from the United States. England, France, and Germany have controlled the drug trade. Her railroad supplies have been divided between the United States and England, the greater portion of the railroad iron, locomotives, and engines being bought in the latter country and the cars in the United States. Her agricultural machinery and her sugar mills have come from England and France, leaving to the United States a monopoly only of lard and kerosene.

EXPORTABLE PRODUCTS.

The exports of Peru formerly were very large, amounting oftentimes to treble her imports. Of the exports the United States has had only a small proportion, consisting of guano, nitrate of soda, hides, and sugar. From 1870 to 1880 the exports of the United States averaged about a million and a half of dollars, of which the greater part was nitrate of soda. The last official statistics obtainable (for 1877) show that the exports of that year to England amounted to 20,189,054 soles; to France, 3,240,000 soles; to Germany, 1,477,000 soles; to the United States, 484,178 soles. (Guano and nitrate of soda not included.) The principal articles exported, outside of guano and nitrate, have been silver, copper, and sugar, which have gone to England, France, and Germany. A little cotton has been sent to France, England, and Chile; rice to Chile and Panama; cocoa to France, Germany, and England; sarsaparilla to England. France, and Germany; chocolate to England, France, and Germany; wool to England and France; tobacco to Chile and Ecuador; drugs and dyestuffs to Germany, England, and France; while the United States has taken a greater part of the hides and goatskins. During the year 1884 the exports to the United States amounted, outside of nitrate and guano, to but $16,000, of which $9,000 was in silver coin, $2,800 old iron, $2,100 goatskins, $1,500 in cocoa leaves, and $610 in antiquities.

Here, as at Guatemala, we were met with the serious question whether our country was willing in a reciprocity treaty to admit free of duty, or at a reduction in favor of Peru over other countries, the products most available for immediate export—sugar and wool. While in the future Peru hopes to enlarge her outgoing productions, yet at present her most available exports are the two articles above mentioned, and as to these we could not offer any assurances that our Government would favorably entertain the suggestion.

RECIPROCITY TREATIES.

There can be no reciprocity treaty with Peru unless this question of sugar and wool is settled in favor of their free admission into our country. If it is deemed wise to make this concession, then, beyond doubt, valuable equivalents can be had from this country. But the matter stands in the Peruvian mind in the light of what it calls "absolute equity," and the basis of a convention whereby products can be mutually exchanged on more favorable terms than are like products of other countries requires that the two prime products of Peru—sugar and wool—should be placed on the free list. We know of no other articles produced here in so large a proportion on which to found the proposed convention. And as these products, if admitted free from Peru, would also naturally receive the same concession coming from any other country willing to make the same treaty, it would unquestionably result in almost wholly supplying our own market from these foreign sources. Certainly sugar can be produced in these regions at a very low price, as we have already shown—much cheaper, we believe, than is possible at present in our own country. It is equally beyond our power or province to determine the wisdom of such a convention, for the necessary data are not in our possession to completely estimate the gain and loss, and in any case the final arbiter of the whole matter is the legislative department of our Government. We can only report that by admitting free of duty Peruvian wool and sugar into our country we can to a very considerable extent increase our exports to that Republic.

STEAMSHIP FACILITIES.

The same editorials discuss the matter of increased steamship communication under the American flag and suggest the danger that may arise from concessions to it now fair and reasonable, but which in the future may prove a burden. This matter of an American line of steamers arose in our conference with the President and his minister of foreign affairs, it being suggested by the minister, as will be seen by a reference to the report of that interview forwarded to the Department of State. The disparity between freight rates to our country and to Europe, in the opinion of the Government, and of every man who appeared before us, was thought to be one of the chief obstacles to our commerce. The principal carrying business north of Peru is done by an English company, and every advantage is given to the shipper of goods to send and bring them through the Straits of Magellan, and even when merchandise fails of transportation by this line it falls into the hands of German and French vessels, whose owners are equally desirous of directing trade to European markets. Thus every discrimination is made against shipments to our country via Panama, and every inducement offered to carry them via the Straits to foreign ports. We ourselves saw our boat filled with exports at Guayaquil and all ports south to Callao whose destination was (at least four-fifths) Liverpool, and we learned that it was the settled policy of this company to discriminate all it possibly could in favor of foreign consignments and invoices, so that against Panama and United States shipments there has been the steady and persistent opposition of the very company that receives and delivers the goods at Panama for and from this coast. A comparison of these freight rates from Callao to Liverpool and to New York brings this matter more clearly to the light,

According to the statement of Mr. Eyre, of the firm of Grace Brothers & Co., of Lima and Callao, who has been in business here for eighteen years, we found that freight per ton to New York, in gold, was at the very lowest $29, and often higher, while the same freight could be carried to Liverpool usually for $14 and seldom exceeded $15. This difference in freight each way is often a fair profit for the merchant, and until this enormous difficulty is overcome no other measure or measures will give to our merchants and manufacturers the bulk of Peruvian commerce. Of the entire willingness of Peru to aid in removing this burden in any way possible to her crippled condition we had the warmest assurances both from the Government as well as from the merchants who appeared before us. As in our Ecuadorian report, so here we say that in some way our country must

remove this obstacle and secure for our merchants and manufacturers the same or lower freight rates to this coast or be barred of a trade naturally theirs and one of very great importance. It was the clear belief of Mr. Eyre and other gentlemen that this line of steamers must be fostered by our Government until, at least, it had the same footing as its foreign competitors, all of whom began by being largely aided by their respective countries, and two of which, the French and German lines, are still so maintained. Doubtless an arrangement could be made with Peru, as with Ecuador, to give such steamers valuable coasting trade privileges, possibly exclusive in the course of time, and very liberal concessions would be made to them in the abatement of tonnage and other dues in harbors, but beyond all this it will need some very substantial aid from either the Government of the United States or of a very powerful combination of capitalists. But of this latter there is very little hope, unless, indeed, its advantages should be limited to the business these investors would furnish; and hence, instead of making a cheap freight line to our country, open to all shippers, it would prove the monopoly of the investors.

In our conference the President was attended by the minister of foreign affairs, Señor Baltazar Garcia Urrutia, and the minister of hacienda.

The full report of the consultation forwarded by the secretary, Mr. Curtis, to the Department of State shows what was said, and little comment thereon is necessary. It will be noticed that the President and his minister of foreign affairs are very guarded in their expressions, desiring on many points presented to them time for "mature consideration." This was quite natural, since the President and his Government, as we have before remarked, are entirely provisional, continuing in power only until the "pacification of the country," an indefinite period, which may as readily be believed to be of long as short duration. Under such circumstances it might well be that the President would feel a natural hesitancy, even in an informal conference, from assenting in a positive manner to some proposals we had to present.

We have hereinbefore discussed the question of reciprocity as viewed from a Peruvian standpoint, and need not discuss it further than to say that while Peru is quite willing to meet us in some fairly adjusted exchange of free articles, yet as that under any possible convention must mean a free market in the United States for Peruvian sugar and wool, we see no necessity for dwelling upon the point, and this more especially because the wool product of Peru, like our own, is of the fine merino grades. The details of such a treaty, its effect in building up a marine service for each Government, and its being so drawn as to avoid "the favored-nation clause," was touched upon, but on these points neither the President nor the minister stood ready to advance any fixed opinion.

Of the protection of American capital and citizens investing their money in Peru under the terms of the treaty, there seemed to be the utmost assurance of inviolability and security.

The question of a silver coin of equal quality and fineness current in all the countries assenting to its creation for the same value received the hearty approval of the Government, which thought such a measure would "greatly facilitate commerce."

The suggestion of a convention of all the countries of Central and South America and the United States was very favorably received, and in response to our inquiry as to what subjects the convention should consider we were told that Peru proposed that the United States in calling the convention should outline the topics to be discussed and that each state should have the right to present to the meeting such other subjects as it thought best.

We have already said that the necessity of an American steamship line was submitted to us in response to our general inquiry as to what way trade between these countries could best be promoted; and we only refer to it now to say that the discussion on this point took a much wider range than is epitomized in the paper before spoken of as sent to the Secretary of State, but there was nothing of importance advanced not contained in that dispatch. The feeling in its favor evinced by the President and his ministers was very earnest and outspoken. With many assurances of the good will of Peru, of its desire to be drawn toward the "Gran Republica," as our country is almost invariably called by the Peruvians, and with repeated expressions of pleasure that our Government had sent to Peru an embassy of good will, our conference closed.

The frequent expression in private conversation and newspaper publications by citizens of Peru that the present embarrassments of England offer a favorable opportunity for the United States to obtain more of the commerce of South America, we beg leave here to suggest as containing a significant hint of not only a fact but of the desires of these peoples.

CHILE.

[Extracts from the report of the commission concerning its conferences with the Government of Chile.]

These propositions were similar to those which have been presented to all the Governments visited by the commission, covering the points in the instructions under which we are acting.

The first was a suggestion that the old treaty of amity, commerce, and navigation between the United States and Chile, which long since was terminated, might be renewed with advantage to both countries.

In reply to this the President said that he did not see any advantage to Chile in such a treaty, and was not disposed to enter into any further conventions with foreign countries. While he personally and the people of Chile in general "abounded" in the most cordial feelings toward the Government of the United States and its people, and endeavored to imitate us as closely as possible, he could not see any necessity for a treaty, and thought the two nations could get along just as well without one.

The second proposition involved the idea of a reciprocal commercial treaty between the two countries, under which special products of each should be admitted free of duty into the other when carried under the flag of either nation.

This did not meet with any greater favor with President Santa Maria, who was not disposed to make reciprocity treaties. His people were at liberty to sell where they could get the best prices and buy where goods were the cheapest. In his opinion, commerce was not aided by commercial treaties, and Chile neither asked from nor gave to other nations especial favors. Trade would regulate itself, and there was no advantage in trying to divert it in one direction or another. So far as the United States was concerned there could be very little trade with Chile, owing to the fact that the products of the two countries were almost identical. Chile produced very little that we wanted, and although there were many industrial products of the United States that were used in Chile the merchants of the latter country must be allowed to buy where they sold and where they could trade to the greatest advantage. With reference to the provision that reduced duties should be allowed only upon goods carried in Chilean or American vessels, he said that Chile did not want any such means to encourage her commerce—her ports were open to all the vessels of the world upon an equality, and none should have especial privileges.

It was suggested that there might be a large commerce between the two countries if the low-grade guano, which is adapted to the cultivation of cotton in the Southern States, and is not sought for in Europe, could be exchanged for the manufactured products of the United States. The President very frankly, and somewhat bluntly, responded that the Government of Chili owned all the guano, and had given the monopoly of the exportation to a company of which the people of the United States could purchase as much as they liked.

The next topic seemed to be received with decided favor, and not only the President but the three ministers present joined in expressing their acquiescence. It was touching the establishment of a common silver coin, to be coined by each of the American Republics, of an equal degree of fineness, and to an amount to be agreed upon, which should be a legal tender in all commercial transactions between citizens of this hemisphere. This proposition, which has already been assented to by Mexico, Venezuela, Guatemala, Costa Rica, Ecuador, and Peru, was accepted by President Santa Maria as a long step toward the monetization of silver, and if adopted by the American Republics, might, in his opinion, compel the Latin Union to accept a double standard, and increase the value of one of the chief products of Chile. His Government, he said, was ready to enter into a convention with the United States and the other American Republics at any time to secure such a desirable result.

The fourth proposition, which invited the views of the Government of Chile as to the practicability of holding a congress of delegates from all the American Republics, to adopt measures to secure peace and promote prosperity among the nations of this hemisphere, met with disfavor. His excellency could not see the advantage of such a gathering. Chile had learned by experience that nothing could be gained, and that the general welfare was not promoted, by international conventions. He could not think of any measures a congress of the sort would agree upon, and while his Government was anxious to avoid war and secure a peaceful settlement of international disputes, the proposition did not find favor in his eyes. If the United States desired to call such a congress Chile would consider the invitation, but reserved the right to decline, in case the Government so desired.

The fifth and last proposition was a general one, and invited the suggestions of

Chile as to the best modes of increasing trade between that country and the United States. The President repeated what he had previously said about the impossibility of securing a large trade, but thought if there could be direct communication by steam from the ports of one country to those of the other, commerce would be greatly aided. If any steamship company in the United States would establish such communication he believed the Congress of Chile would give it a subsidy, such as was given now to the Pacific Steam Navigation Company of Liverpool. That line receives an annual subsidy of $50,000 silver, and the Chilean Company, which employed vessels along the coast between Valparaiso and Callao, was given $150,000 a year, under the condition that its vessels were always subject to charter by the Government and might be used as transports and cruisers in time of war. Similar aid would be offered to any company desirous of trading along the coast of Chile, as it was the policy of the Republic to encourage commerce and stimulate competition.

The consumption in favor of our country continued in Chile until 1861, when our whole commerce and shipping seemed to vanish from the South Pacific coast in a day, and to this hour its predominance has not been regained.

Before the civil war there were many vessels from our country trading in these South American ports, and, with their disappearance, there arose an increased demand in our country for all the mills, forges, looms, and fields the land could produce and at such prices as to forbid all thought of profitable export. These people were in a moment driven to Europe for all fabrics not produced by themselves. With this there came the enlargement of the number and capacity of the vessels of the Pacific Steam Navigation Company, a gigantic power in all this international traffic, and which owed its origin to an able, foresighted American, William Wheelwright, who carried from Valparaiso to New York merchants this plan of a steamship line to control the trade of this region, only to be repulsed, and who found in English capitalists a response which, in course of time, has carried millions of trade to the Old World which might have gone to the New. Close, certain, and speedy lines of communication now exist between the ports of Chile and all the principal ports of Europe. Not only does this English line do a great carrying trade from Liverpool to all the ports of South America, on both coasts, but the French and German lines, liberally aided by their home government, do so large and regular a business that it costs less by nearly one-half to send goods from New York to Valparaiso, by way of Hamburg or Havre, by steamer, than it does to send direct by the same power.

We are assured by old resident Americans that to-day, as twenty-five years ago, the manufactures of our country are preferred, if only they could be secured now as then; that it is quite common to hear the native consumer say to the merchant, "Why don't you have those strong American goods we once bought of you?" In this connection we refer to the translation of a leading editorial in La Union, of Valparaiso, of the 5th instant. It discusses the subject of our mission as well as the well-known character of American goods and the desirability of securing them and the difficulties of the situation.

The chief obstacle to commerce between our country and Chile is the want of speedy transportation at as low rates as from Europe. When goods are sent from New York to Hamburg and then reshipped to these waters it is clear that the German manufacturer has the freight and port charges from our country to his own in his favor in competing with our merchants and producers.

Few goods come to this country from ours in steamships save by way of Europe. The freight from New York by Panama is about double that by way of Hamburg or Liverpool, and the universal complaint of the breaking of parcels and boxes on the Isthmus transit shows that many shippers in that item alone find a loss so serious as to more than negative any advantage in time that route may afford. In fact, this trouble at Panama is so large as to become an insuperable objection to that line.

We know of no way to obviate it, for if the self-interest of those controlling that link of connection between the two oceans will not unite them to prudent handling of goods, we know of no power to compel it. One would suppose that a desire to do the transit business for all this Pacific coast would of itself lead the managers of this interoceanic highway to the utmost vigilance, for the dullest can see that it yearly looses an enormous amount of traffic which naturally belongs to its position and capacity.

We have already in former reports adverted to the extraordinary influence of the English line of steamships in diverting trade from our country to European ports, for in their homeward voyage they touch Lisbon and Bordeaux, and so aid French merchants and those Spanish traders who ship their goods to the mouth of the Tagus in sending and in receiving goods from this coast. The English steamer on which we go to Montevideo has a large cargo, much of it to be unloaded at

Bordeaux, among which is a lot of dried sort of fruit called here macqui, and which enters extensively into the manufacture of Bordeaux wine, to which it imparts a deep-reddish color and a pungent taste. The same product also aids the wine manufacturer of Chile to the extent in some cases of 80 per cent.

These steamship lines from the Old World to South America are a controlling power in shaping and directing the great balance of trade. Every week the flag and vessels of Great Britain, France, and Germany are seen in these ports. Their coming and going is advertised in the daily press. They transport goods of many kinds so much cheaper than the same article can be brought from our country that that difference alone compels the purchaser to elect the foreign-made article.

In the beginning, we are informed, not one of these lines could have been maintained without Government aid, and two of them still receive such encouragement from the country whose flags they fly, and the others receive large mail pay from the Chilean authorities. When we applied for information at the office of this English line of steamers as to the sailing of American steamers from Rio Janeiro, the clerk said, "American steamers? I didn't know the Americans had any steamers. I never saw one."

Doubtless were it not for the want of full return cargoes a line of steamers could be successfully established from our own country to Chile and ports farther north. But here lies the difficulty. There is an old marine maxim, "No uncertain single freight can compete with two certain ones."

To-day Chile produces very little the United States needs. It has great copper mines, but it can not now compete with the product of our country in our markets, even if it can long in Europe. To this it is to be added that many of her best copper mines are well nigh exhausted, and that in the future her product will diminish relatively rather than keep pace either with her own population or the use of this metal.

In the matter of railroad supplies our country furnishes much of those consumed in the country, and were the question of freights settled in our favor we should hold almost a monopoly, for there is an entire concurrence of testimony among practical men to the great superiority of our engines, cars, and railway material over the English, save in the matter of steel rails—there we are undersold by as good an article as we produce. But the tedious delays in getting freight from New York by sailing vessels and its great expense by steam, give our European competitors the advantage. A case in point is mentioned by Mr. S. Brown, of the house of J. Parker Read, in Valparaiso. He ordered some street cars a long time ago from a manufacturer in our country for a city of Chile. The authorities have had the track down for months, but the cars have not yet arrived, and there is, of course, much vexation over the delay. That our railroad supplies are forcing their way here is illustrated by many facts stated by Mr. Hillman, and with an equal start our people can easily pass their competitors.

For all farm work American machinery is preferred, were it not for the drawback of its comparative lightness with that of English or German make. Ours is the more convenient, better adapted to its use, but when all the machinery is to be handled or driven by men careless, or stupid, or ignorant, the value of heavy work is seen. One gentleman said to us it would well pay our agricultural-machine manufacturers to come to Chile and see what kind of carts, wagons, hoes, cultivators, mowers, and reapers and thrashers we need for our labor. As it is, our country is annually swelling its trade in this direction, and with improved carrying facilities, with better packing and more attention to clear invoicing, we may hope to absorb nearly the whole trade, though we will always have to contend with German peddlers, who imitate our style and make of goods as well as our brands and marks.

This ownership of the tillable area by a few persons creates a powerful landed gentry, who, together with those in the large cities who have grown wealthy in mines or trading, almost wholly control the State and its policy. The masses are poor and seem to be quite indifferent about improving their condition. Now and then there rises above the common level a strong spirit, and he soon finds his way to the upper rank, but these are exceptions. The powers of education as they widen may justly be expected to reach more and more men of this stamp, and in time may vitalize the whole.

We spent a few days after our arrival in Chile at Valparaiso, as that is the commercial center of the Republic. The interviews we had with all the leading American business men, as well as some others, we have already alluded to, and they are herewith forwarded. Some of them are very valuable, showing the views of these practical men on the ground as to what our country and her business men must do to win the trade of this coast.

We gave His Excellency a minute of the topics we had to present to him, the

first having reference to the absence of any treaty of amity, commerce, and navigation between Chile and the United States, and followed by an inquiry whether his Government was disposed to consider the negotiations for one favorable, and our second point covered the matter of a reciprocity treaty, or negotiation for one, on the basis set forth in our instruction. The President was attended by his minister of exterior relations and minister of hacienda. In response to our first suggestion the President chose to consider it and the ensuing proposition together. He said it was out of no want of respect for the United States, for whom he and his people held the highest esteem, but it was his settled belief that all treaties were needless; that they subserved no valuable end, and that in the matter of reciprocity there could be no control by any convention of the laws of trade; that men would buy and sell where it was most to their advantage, and that this could not be aided or materially influenced by national compacts.

In reply, we asked him to consider the first proposition as quite distinct from the other, and suggested that it could be passed upon as entirely independent of any reciprocal arrangement whatever.

He replied he did not consider it in that light, and that the objection he had to one was equally formidable to the other.

All effort to induce him to treat of the propositions separately was futile.

This was the more inexplicable because of his assurance of the high regard in which he held our country, and yet he assured us one reason why he could not entertain in any form the matter of a reciprocity treaty was that the "favored-nation" clause subsisted in many treaties Chile had with other powers.

This seemed to us very irreconcilable, but we failed to lead him to consider either question in a favorable light. Neither did we draw from anything he said that his Government was proposing to terminate the treaties with other nations containing this "favored-nation" clause, but on the contrary he seemed to be quite satisfied with them. All this, however, we had been led to expect from the tenor of the President's conversation with Dr. Logan on the subject. In the course of debate, however, the entire want in Chile of any valuable product we needed in the United States on which to form the basis of a mutual convention was pointed out by the President in a clear and forcible manner, and this point we thought to meet by suggesting the possession by his Government of what we were informed were vast beds of low-grade guano, and that on this article we might discuss the project. But to this he answered it was inadvisable, because Chile, owning all the guano of any account in the world, must mine and sell the product as a private individual, through agents and consignees, and that if the United States desired to buy it could do so, just as any other purchaser; that it was no favor to Chile to have the United States buy her guano, as she could sell all she had in other places.

We suggested to Chile the value of the coasting trade of our country with her ships in case a fair convention could be made. To this we were answered that Chile already opened all her coasts to the vessels of any nation, the United States included, and that in turn the Chilean flag ought to have access to our ports in like manner. Of course it was not worth while to dwell upon such an avowal.

On the matter of a common silver coin, of a quality and quantity to be agreed upon, the President expressed himself in terms of complete approval. He saw in it a movement of immense advantage to all the silver-producing States and a means of enhancing commerce between the nations adopting it. Any steps our country would take in that direction will meet a quick response from Chile.

The proposition to call a congress of the American states did not meet his very decided approbation. Chile, he said, had not realized any satisfaction from the attempts she had made in that direction in the past, and he had serious doubts whether any good could grow out of it. He would remain noncommittal on the plan itself, as well as the subjects to be discussed, if one should be called. Chile, at the time the convention should be called, would determine whether she would be represented or not.

In response to our inquiry as to what he would suggest as the best way to increase commerce between our nations the President dwelt upon the advisability of the United States starting a direct steamship line from her ports to those of Chile. This, he thought, would be of more advantage to both nations than anything he could suggest. In this conversation he said he stood ready to aid such a line to the full extent the English line now had Chilean subsidies, which are $50,000 per annum, and that the measure would have the warmest approval of himself and people. He said the disappearance of the flag of the United States from their seas had much to do with the diversion of trade from our country to foreign ports, and that its restoration would tend to draw back that commerce in a much faster ratio than it was at present moving.

NEWSPAPER OPINION.

[Translation from the Union.]

VALPARAISO, *May 5, 1885.*

The last papers by the steamer *Callao* bring notice of the reception by the President of Peru of the special legation which the Government at Washington, at the instigation of the Congress, has sent to the peoples of Central and South America for the purpose of studying their economic situation and to strengthen and augment the mercantile relations between them and the "Great Republic."

The reading of the discourse pronounced by Mr. Thacher, chairman of the embassy, leaves a most grateful impression on the mind. Among the diplomatic phrases and reminiscences skillfully brought up to please the Peruvian people and their Government one discovers the strongest desire to inspire confidence and sympathy and to prepare the ground for the success of the mission of friendship, progress, and mutual advantage confided to the skill of the plenipotentiaries.

We believe we can say that these diplomatists will be sure of a good reception, because the commercial, more than political, character with which they come inspires confidence, indeed, in the most distrustful, both on the side of the authorities and the press, and they will have a quiet and conscientious investigation of the phenomena which they were sent by the Congress of the United States to investigate.

To cooperate as much as lies in power we shall therefore anticipate a few ideas, which we shall further explain after the commissioners have presented their credentials.

For those well posted the object of the mission is well understood. More than once the political economists, editors, and great manufacturers of the Great Republic had taken note, with a sentiment of sadness, and we almost said of envy, of the depressed and low condition of the North American commerce with South America, compared with the astounding progress and prosperity of the commerce carried on by these countries with England, France, Germany, Belgium, and the other manufacturing countries.

Without exaggeration we may say that these nations rule our market, and the commerce of the three first named exceeds that of all the other nations of the Old and New World put together. And the statistics show it is increasing year by year with increasing rapidity, forming a painful contrast with the slowness our commerce increases with the United States.

For, in the last twenty years, commencing from 1863, the imports from Germany have increased from $772,515 to $10,015,564; those of France from $1,301,858 to $8,935,309; and of England from $8,090,069 to $21,638,271. From the United States they have only increased from $1,635,598 to $3,601,492.

More notable still are the exports, for to Germany they increased from $684,596 to $4,811,438; to France from $1,649,364 to $6,208,927; to England from $12,313,029 to $58,961,622; but to the United States exports only increased from $1,352,672 to $1,666,978.

We can therefore say that should the commerce with the other nations continue in the same proportion, before twenty-five years have elapsed North American commerce would be practically excluded from our coasts, as the North American flag now is, which was represented last year by 2 steamers only, in the presence of 10 Spanish, 78 French, 100 German, and 1,944 English.

The United States cedes in nothing to other nations, neither in its population, richness, nor industrial progress; it rather surpasses them by its proximity and the sympathies engendered by the community of institutions and aspirations. We see then that it is a case which excites our curiosity, wounds our self-esteem, affects vast interests, and needs careful consideration and efficacious remedies.

The United States no doubt believe, and they have reason to, that the humiliating state of their commerce in South America can neither be natural nor fatal, and, that not being the case, there is a possibility of bettering it by removing the artificial obstacles which prevent its taking the first rank and place of honor pertaining to it.

The worthy plenipotentiaries of the United States would commit a grave error if they attributed the prostration of their commerce here to antipathies or bad feeling towards their country, or to a traditional and unconscious predilection for European manufactures. On the contrary, there is no one in Chile but recognizes the superiority of American products, natural or manufactured, and it is very probable that as regards price and quality they are preferred to European goods, with the exception, perhaps, of articles of fashion, art, and other fancy articles, which we receive from France.

And in spite of all this the English and Germans have the almost exclusive

control of the South American markets. And why? We have already said that the hour has not arrived to answer this fully. But we may say, as a general thing (so that it may serve as a starting point for the Chilean press, and the North American plenipotentiaries themselves), the following:

We believe, as do some American ministers whose articles we have seen reproduced here and in Santiago, that the United States do not find markets for their products in South America because the United States has shut her doors to the products of South America. The United States Government has, by means of its heavy tariff, pretended to realize the impossible, or the absurdity to sell to all the world without buying anything from anybody. Commerce is made up of exchanges of merchandise in which each country cedes to the other those products which it produces of a better quality and with less expense owing to the better natural advantages with which it may be blessed; and therefore, in political economy, it is an axiom that products are paid for with products, and that a country can not buy without selling, or sell without buying.

This being so, it does not need much keenness to discover the origin of the evil, and to point out the remedy. If English goods come here in large quantities it is because the ports of Great Britain are open to Chilean products. If we buy of the English it is because they do not repel through a protective tariff the articles we produce, and of which we can avail ourselves to pay for what we buy. And, if the United States desire to enjoy the benefit which the English reap from this commerce, they have only to imitate their example, lowering their tariff and opening their ports to us.

Such a measure would be much more efficient for the objects sought for by the honorable plenipotentiaries than their manifestations of friendly feelings towards these countries, manifestations which we consider sincere, and which we hold at their true value, but which of themselves alone, and not being seconded by the practical measures above stated, can not produce any favorable change in the condition of the commerce of that Republic with the people who inhabit this continent.

URUGUAY.

[Extracts from the report of the commission concerning its conferences with the Government of Uruguay.

Memoranda of topics to be considered at a conference between the Government of Uruguay and the commissioners of the United States.

(1) The desirability of closer relations between the two countries because of the unity of their political and material interests.

(2) To promote the peace and prosperity of Uruguay, the United States is disposed to lend its moral influence.

(3) Is not a general treaty of amity, commerce, and navigation between the two countries desirable?

(4) Can we find the basis of a reciprocity treaty between the two countries which shall avoid "the most favored nation clause" in existing treaties, and leave concessions in favor of the peculiar products of each country in the markets of the other?

(5) What does the Government of Uruguay think of the establishment of a common silver coin which shall be legal tender between citizens of the United States and Uruguay and other American Republics?

(6) How does the Government of Uruguay regard the plan of holding an international congress, to which each of the American nations shall send delegations, to formulate measures to protect the peace and promote the prosperity of each other, and to resist European interference in American affairs, the position of the United States being that the American Republics are capable of determining what is best for their own interests, and should protect, defend, and encourage the development of each other?

(7) What does Uruguay suggest as necessary to be done by the people of the United States to promote commerce between the two countries?

MONTEVIDEO, *June 2, 1885.*

The President of Uruguay, General Santos, and his ministers, after expressing with great ardor their admiration for the United States, their efforts to imitate our Government in all things, and their desire for closer relations, accepted without discussion each and all of the propositions referred to, except that which relates to a reciprocity treaty with the United States. To this they would have

readily assented also, had the commission felt justified in encouraging them to expect that the Congress of the United States would consent to a reduction or a removal of the duty on wool. This, being the chief product of Uruguay and the only article exported to the United States which is not taxed under our tariff, was of course that in which they felt the most and only interest.

With regard to the proposed common coin and the international congress they were quite enthusiastic.

The Government of Uruguay, they said, was not in such a financial condition as to offer pecuniary aid toward the establishment of a steamship line between its ports and the United States, but very earnestly hoped that something might be done in this direction, and would agree to afford the steamers special privileges in the matter of harbor dues.

As the Government has recently entered into a contract with a French company to improve the harbor of Montevideo on an expensive and extensive plan, it is suggested that their proposition as to special harbor concessions be considered at once, and accepted for a term of years, as when the new breakwater and docks are completed harbor dues of all sorts will be enormously increased.

Recently a contract has been made to render the harbor of Montevideo a perfect refuge from storms and to supply it with wharves in waters deep enough to permit the largest ocean steamers to moor at their sides for the discharge and reception of cargoes. When this great breakwater is built and the proposed dredging and docks completed, a largely increased commerce will be the result, for this point will be a prominent entrepôt for the up-river trade. The upper river La Plata and its tributaries, furnishing thousands of miles of navigation, are reached by three lines of steamers under the French flag, which carry from and bring to Montevideo the merchandise and products of Paraguay and the northern provinces. These cargoes are transshipped from here to the ocean steamers without being landed. Recently several lines of steamers have saved the expense and delay of this transshipment by reaching the upper portion of the river La Plata, and it is said a few years will see several commercial cities springing up 1,000 miles beyond Montevideo, in a country where the products are similar to those of Uruguay. The importance of this point is found in the single statement that freight comes and goes on 21 different lines of European steamers. There are now and then sailing vessels from our ports seen here, but never steamers. A person here desiring goods from our country by steam communication must order them to Liverpool, Hamburg, Bordeaux, or Havre. Freight is carried to our ports by two English lines, but when they have discharged their cargoes of hides and wool or coffee, received at Rio de Janeiro, they take in goods for the foreign ports above mentioned, but they never proceed directly from New York to any South American ports; their destination is some foreign city, where they unload, refit, rest, and then start out on their circuitous route. The fact of so many European lines struggling for the commerce of the country shows its present and prospective importance. Indeed, so vigilant are foreign nations to secure it that they aid these steamship lines with liberal grants, and within a few weeks we were told by our vice-consul, Mr. Thomas W. Howard, that Germany had sent out a commission, consisting of Prince Frederick von Hohenlohe and Captain von Schroder, charged with the duty of promoting more friendly commercial relations with the South American countries. The commission was to have sailed from Hamburg the last of April or 1st of May.

The commerce of this La Plata region is only in its infancy. Within a few years after the completion of the harbor here there must be in this Republic alone a trade equal to that of the whole valley. The increase during the last few years has been very great, and is prophetic of the future. Telegraph lines and routes for mail coaches already cover the country, and these pioneers of the locomotive are drawing the thoughts of the people toward the needs of quicker and cheaper means of transportation.

PROSPECTIVE IMPORTANCE OF TRADE.

The prospective importance of this region in a commercial point of view is to be measured in part by the judgment of business men in the Old World, who are putting forth redoubled efforts to fasten it in grooves running alone to their own ports. And these endeavors have not in the past proved failures. The establishment of steamship lines liberally subsidized by their Governments at first was not remunerative, but now they do a fair business, and, above all, have quadrupled the trade with their own country. Belgium has just concluded a convention with an English line of boats, Lamport & Holt, to communicate between the ports of the La Plata and Antwerp, giving this company a subsidy of $50,000 per annum.

In the former years, before the late war in the United States, our commerce with these countries was much larger than now, and the United States flag was scarcely

ever absent from the anchorage at which it is now seldom seen. Seizing upon this opportunity offered by the withdrawal of our shipping, with great persistence the nations of Europe pushed their steam lines into this country, aiding them by liberal subsidies, until now England, France, Spain, Italy, Germany, and Belgium have each one or more steamship companies connecting the river La Plata with their ports. These companies have in every instance received the aid of the Government under whose flag they sail, as above stated, and although offers have been made by the nations of the river La Plata to subsidize vessels connecting them with the United States, no one has yet been found to accept them, because of the lack of encouragement in our own country.

OUR COMMERCE WITH URUGUAY.

The present condition of our commerce with Uruguay is simply that demanded by the necessities of these people. Ordinarily no goods are purchased in the United States for export here that can be obtained elsewhere, although it is the unanimous testimony of importing merchants that the manufactured merchandise of the United States is more popular here than that of any other country. Wherever our industrial products have come in competition with those of England, Germany, or France, they have been successful, but the difficulty of obtaining them has made it unprofitable to enlarge the trade. The cost of transporting a ton of merchandise from New York to Montevidio by steam is more than double that from any of the European ports; and importations by means of sailing vessels is discouraged by the length of time required and the uncertainty of the transit. A merchant in Montevideo ordering goods from the United States is compelled to wait from five to nine months before receiving them, and is never certain when they can be delivered; whereas he can cable an order to Europe and have the goods delivered here within forty-five or sixty days. The cost of transmission by cable to the United States, there being no direct cable communication, is so exorbitant that this means of communication is seldom used, the tariff being $2.95 a word, in gold, the address and signature being charged for. The cable rate to Europe is a little more than one-half the above. An American company, which now controls a cable line by way of Galveston to the west coast of South America as far as Callao, has projected a line from New York to the east coast of South America, which may be completed within a few years, and thus enable electricity to be used to advantage. One importing merchant at Montevidio informed the commission that nine months ago he ordered an invoice of merchandise from the United States and had not yet received it. It was not sufficient to furnish a cargo of itself, and his agents there were compelled to wait until other orders had been received that would fill the vessel. The same merchant stated that the last cargo he received from the United States was one hundred and twenty-four days in transit, and that the cost was greater than it would have been if the goods had been ordered in Europe and shipped here by steam. The sailing vessels ariving here from the United States are usually under European flags, and are chartered as occasion offers at the port of New York. It may be added, as stated by Mr. Lane, whose statement is hereto appended, that in the matter of cotton goods our products are considered too fine for the use of a certain class of the population, who prefer a cheaper fabric imported from Europe. The products of the Wamsutta Mills, however, are extensively used in the market. The high prices asked for American fabrics are justified by the superiority of the article, not only here, but in other South American countries; and it is suggested that if our manufacturers of cotton goods would produce an inferior article, so that it can be sold in competition with the goods imported from Manchester, a large trade might be built up, provided means of transportation were afforded.

There is less complaint here as to inferior packing than has been made elsewhere, which may possibly be attributed to the fact that articles imported into this country from the United States are not so liable to damage as those taken to other places. Neither is the same complaint as to the size of the packages made, the interior transportation here being done by carts instead of by pack mules, as in the more mountainous regions.

POPULARITY OF AMERICAN GOODS.

To all the foregoing we may observe that toward our country and her products there is a strong predilection. These people look upon our nation as their model. They consult our institutions, our decisions, and expedients as a precedent for their own action. As one gentleman said, "The United States is our mother; she points us to the way of peace and greatness; in striving to do business with this country our merchants have no antagonism to overcome, no apprehension of latent

hostility to allay." On equal terms our commerce would soon be paramount to all others here.

One of the largest American merchants, Mr. Evans, whose long residence here and his great success entitle his words to just weight, claims that a line of bimonthly steamers carrying freights and passengers as cheap as it is now done between this and European ports would very shortly absorb an enormous business now done in foreign bottoms. He mentioned some lines that would be compelled to withdraw entirely in presence of such an American competition. The conditions of success for such a home transportation lie, first of all, in Government aid. This need not all come from our own Treasury. So desirous are the people here and in the Argentine Republic for increased commercial facilities with our country that each stands prepared to aid in all that lies in their power. This State would grant valuable privileges in its harbor, and these would be of large moment with the completion of its breakwater. Argentina would give not only harbor concessions, but also a direct subsidy proportionate to that bestowed by our own people. From no one authorized by experience have we heard it suggested that our country can build up its trade interests here in any other manner than that which has proved so successful with the European countries. There are no sufficient considerations applicable to our products which tend to force them into use in preference to those using cheaper and more expeditious modes of transit. Neither need there be many years of aid given to these subsidized lines. All agree that once they are established, such is the buoyancy and vehemence of our business life they would soon not only be independent, but profitable. With their creation there would flow into this great valley American wealth and people, and with them would come stronger inclinations of this region to our own country, and new ties of interest, friendship, and business would be multiplied annually.

The customs regulations of this Republic are very favorable. Goods can be shipped here and remain in secure custom-houses for a year free of duty or tax, and after that they are only subject to a slight storage charge. The tariff is heavy, but its charges need not be paid at all if the goods are reexported, and are not payable until the goods are removed. The finances seem to be, in one respect at least, superior to any we have seen. There is no depreciated currency, and here is the only place where American gold will not bring its full value in the local circulating medium.

We unhesitatingly say that, in our opinion, the United States can in a few years advance to a position as superior to any other nation in its commerce with this country as it is now inferior. The object can be reached by placing a steamship line on such a basis that it can carry freight and passengers at as low a rate from Montevideo to our ports as they are now transported to Europe. Moreover, the present is an exceedingly propitious time to promote the commerce. The transition state of this land, the new life before it, the growth of its power to demand and consume, the kindly eyes it turns to our shores, all urge a speedy opening of the channels of trade between our countries.

CONFERENCE WITH THE GOVERNMENT.

The next day after our arrival at Montevideo our secretary, in company with the Hon. William Williams, our minister, called upon the secretary of foreign affairs and gave to him a copy of the letter of the President of the United States to the President of the Oriental Republic of Uruguay, and also a copy of an address which we proposed to make on the formal presentation of the letter of our President. Shortly thereafter the President of Uruguay received us in open audience, at which time we presented to him the letter and also delivered the address, a copy of which is herewith submitted, together with a translation of the President's reply thereto.

Between the interview with the secretary of foreign affairs and our reception we were engaged in taking statements of many American gentlemen in trade here or who had long experience in the country, and we also obtained information from other sources, all of which is herewith transmitted. We have also in this connection to acknowledge the cooperation of Mr. Williams and the very valuable services and information given to us by our vice-consul, Mr. Thomas W. Howard, whose written statement, as well as oral, will be found with the inclosures herein.

At the interview with the President we pursued the same general line of topics observed in our conferences with the other governments, but as we have no treaty of amity, commerce, and navigation with this country, we called the attention of the President to that fact. He gave us the warmest assurance of his entire willingness, and in fact of his desire, to negotiate such treaty at any time our Government requested. In this connection the President said to us that he and his people looked upon the Government of the United States with the greatest admiration, and that they were trying to imitate all the good and, as he expressed it, "grand

features in our national life;" that the people of the republics of South America, as far as he was informed, all looked upon the United States as the mother of all the republics, and her voice and her wishes commanded the utmost respect from them all; and that in his country there was a very strong and general desire among the thinking people to be on more kindly and friendly terms with the United States. We assured him that our Government entirely reciprocated the feelings of good will he had expressed, and that we would communicate the desire and readiness of his Government to enter into treaty relations with our country.

A RECIPROCITY TREATY.

We asked the President if he could suggest the basis of a reciprocity treaty between the two countries whereby the products peculiar to the one should be admitted either free of duty or at greatly reduced rates into the ports of the other. He said it was a matter he had been considering ever since our arrival here. We may observe that we also furnished to the secretary of foreign relations a memorandum of topics we desired to discuss. The President remarked that the difficulty was to find products of his country not produced in ours; that we admitted now free hides and all the results of cattle raising of his country, so far as he knew. Next to this, or perhaps of greater importance, was the wool interest; that our country placed a heavy duty on the wool of Uruguay; that at one time most of their wool found a market in our country, and with that market came a large trade, but that for various causes, especially the duty on wool, the trade had departed; that he was anxious to find a basis for a mutual concession out of which might come a greater commerce between the two countries; that his people preferred to do their business with our country if it could be done on as reasonable and as profitable terms as with any other. We did not feel at liberty to intimate that our country would modify its duty on wool, and left the matter with the general understanding that if any treaty of reciprocity acceptable to our people and the people of Uruguay could be found or devised, the negotiation for such a treaty could be taken up hereafter.

The President expressed himself as warmly in favor of a convention of all the republics of the Western Hemisphere being called by the United States. He thought that the initiative of such a congress should come from the oldest and strongest Republic; that his Government would gladly send delegates thereto; that the call for the convention by the United States should also cover a suggestion of the topics to be considered, each country, however, having the right to present for consideration such other questions as the delegates thereto might be directed to bring forward. He believed that such a convention would result in great good. He thought that possibly in regard to the question of a common silver coin, the advantage of which to the countries adopting it he conceived to be very great, should be considered by the convention.

To our general question, "What do you suggest as promotive of both friendly and commercial relations between the two countries?" he responded very quickly, "Establish steamship lines between your ports and ours." He remarked that the American flag was rarely seen or never upon an American vessel, except sailing or war vessels, and that infrequently; and that were such a line to be created he had no manner of doubt of its tending to furnish to the United States a very large share of the business of this country. He said his Government was too poor to contribute in money toward the building up of such a line, but they could in other ways aid it, and most certainly desired to do so, and he hoped that the result of this commission would be to bring the matter so strongly before our Government that it would speedily inaugurate a line of merchant steamers from our ports to his.

All the expressions of the President with respect to our country, the desirability of his people doing their business and extending their trade relations thereto, were of the most emphatic and cordial character. The conference concluded by utterances of good will on the part of the President, of admiration of our country, and of the earnest hope that the two should be drawn together by commercial ties, and the interchange of friendly relations produced by the advent of American citizens and American capital into the rich country of Uruguay. He expressed the belief that our mission here would be productive of great good, not only assuring this country of the good will of ours, but in drawing their attention more particularly to the United States and her products.

THE COMMERCE OF URUGUAY.

[Statement of Thomas W. Howard, vice-consul of the United States at Montevideo.]

The natural resources of Uruguay are great. Production and, consequently, commerce are constantly increasing. The population is rapidly augmenting, and

the Republic bids fair to be at no distant date one of the richest of the South American republics.

San Felipe de Montevideo, the capital and chief port, is pleasantly and well situated at the mouth of the river La Plata, and, owing to its position, must in time control the whole trade of the river La Plata Valley. It has already a large trade with Paraguay, the Brazilian provinces on the Upper Paraguay and Uruguay, as well as with the Argentine provinces of Entre Rios and Corrientes, which trade is rapidly increasing.

Montevideo has bonded warehouses, and the custom-house laws in this respect are very liberal. Goods can be stored, and if reshipped within one year pay no storage whatever. This wise law has given this city much of its trade with the countries above mentioned.

A bill has already been passed by Congress for the construction in the Bay of Montevideo of a port consisting of breakwater, wharves, etc., upon which $15,000,000 will be spent, and facilities will thus be given whereby vessels of the largest size can load and unload at wharves, thereby saving time, money, and damage from breakage. At present vessels are loaded and unloaded into lighters, and much time is lost, as in stormy weather all business is stopped; often not more than twenty days in a month are working days. The cost of lighterage is very high, and may be estimated at about one-third the cost of freight from here to the United States, much of which will be saved by the construction of the port works.

The city has a population of about 130,000 inhabitants. It contains many fine public and private buildings, besides numerous fine plazas or parks. The health of the city is good, the mortality being much less than in other cities of the same size.

Territory.—Uruguay is divided into fifteen departments, and has a superficial area of about 63,341 square miles. It is one of the smallest of the South American republics, but is much larger than Portugal, Greece, or Switzerland, and is about the size of the State of Missouri.

Population.—About 520,536 inhabitants, having more than doubled since 1860, in which year the population was about 221,000. The inhabitants are divided as follows: 368,166 are native-born and 152,370 foreign-born. The sexes are very equally divided, being 268,172 males and 252,364 females.

Commerce.—Trade during the last five years, from 1879 to 1883, from the United States slightly increased, with the exception of 1883, in which year trade decreased considerably. The falling off was principally in lumber. Building, owing to the poor state of business, had entirely stopped, and lumber, which is largely used, was not wanted. This decrease will probably soon be regained, as a great impulse has been given during the year 1884 to house building, etc., and the importation of lumber has very much increased.

The following statement will show the comparative values of different articles imported into Uruguay during the year 1883 from the United States, England, France, and Germany:

Articles.	United States.	England.	France.	Germany.
Alcohol	$57,209	.....	$4,005	$76,899
Beer	142	$175	285	58,376
Gin	10	584	.....	14,287
Olive oil	75	.....	13,200	.....
Rice	373	1,559	2,127	176,383
Sugar	10,772	29,131	339,614	191,107
Cornstarch	1,921	2,126	161	.....
Sweet biscuit	265	16,975	.....	668
Lard	29,051	18	390	.....
Hams	48	7,252	51	342
Butter	372	945	2,052	5,568
Codfish	140	580	11	29,701
Cheese	.....	3,829	1,035	3,738
Tea	348	47,852	31	853
Cottons	21,641	1,271,360	72,008	115,810
Cassimere cloth	.....	165,765	79,026	48,073
Woolen goods	.....	144,000	62,801	19,859
Canvas	7,601	11,060	.....	348
Cloth	.....	137,287	11,099	15,523
Shoes	.....	15,130	34,536	10,616
Cotton socks	.....	32,264	24,476	40,921
Cotton handkerchiefs	.....	57,062	3,008	6,775
Ready-made clothing	.....	7,169	14,072	3,774
Wire (iron)	40	469,920	104,320	244,549
Agricultural and other machines	22,156	46,154	8,138	2,896

Many more articles could be given, but the above will be sufficient to show that, owing to various causes, amongst the chief of which are want of steam communi-

cation and high cost of production, the United States does not compete with her European rivals in those articles which she should naturally be able to sell cheaper.

The importation into Uruguay has gradually increased. The valuation of merchandise imported in 1881 was $17,918,884; in 1882, $18,174,800; in 1883 it was $20,322,311, showing an increase in 1882 over the year 1881 of 1.43 per cent and an increase in 1883 over the year 1882 of 11.81 per cent. Of the $20,322,311 imported in the year 1883, the United States sent $1,173,633, England sent $5,515,091, France sent $3,491,298, and Germany, $2,029,860.

Our principal articles of exportation are wool, salted hides, dry hides, sheepskins, and hair.

The following statement will show the comparative values of these articles taken by the United States, England, France, Germany, and Belgium during the year 1883. Belgium is given in these tables because most of the shipments to that country are destined for the north of France and Germany:

Articles.	United States.	England.	France.	Germany.	Belgium.
Wool	$827,475	$317,958	$1,342,168	$557,719	$3,972,108
Salted hides	41,000	1,924,415	1,098,407	63,325	664,605
Dry hides	1,137,817	93,770	428,185	.....	465
Sheepskins	.....	57,217	594,979	24,479	49,940
Hair	45,152	12,380	86,840	.....	70,654

The exportation from Uruguay has constantly increased. The value of merchandise exported in 1881 was $20,229,512; in 1882 it was $22,062,934; in 1883 it was $25,221,664; showing an increase in 1882 over the year 1881 of 9.06 per cent and an increase in 1883 over the year 1882 of 14.31 per cent. Of the $25,221,664 exported during the year 1883, the United States took $2,187,162; England, $4,831,263; France, $4,230,562, and Germany, $689,087. Belgium took during 1883 goods to the value of $4,870,947, and much of this went from Belgium to France and Germany.

The following is a statement showing the value of merchandise imported from, and exported by Uruguay to, all countries since 1862:

Years.	Imports.	Exports.	Total.	Years.	Imports.	Exports.	Total.
1862	$8,151,802	$8,804,442	$16,956,244	1874	$17,181,672	$15,244,783	$32,426,455
1864	8,384,167	6,334,706	14,718,873	1875	12,431,408	12,693,610	25,125,018
1866	14,608,091	10,665,040	25,273,131	1876	12,800,000	13,727,000	26,527,000
1867	17,657,918	12,077,795	29,735,713	1877	15,045,846	15,899,405	30,945,251
1868	16,102,475	12,139,720	28,242,195	1878	15,927,974	17,492,159	33,420,133
1869	16,830,678	13,930,027	30,760,705	1879	15,949,903	16,645,961	32,595,864
1870	15,003,342	12,779,051	27,782,393	1880	19,478,868	19,752,261	39,231,069
1871	14,864,247	13,334,224	28,198,471	1881	17,918,884	20,229,512	38,148,396
1872	18,859,724	15,489,332	34,349,256	1882	18,174,800	22,062,934	40,237,734
1873	21,075,446	16,301,772	37,377,218	1883	20,822,311	25,221,664	45,543,973

All the foregoing statistics are taken from customs valuation, which is only two-thirds of the real value, and to arrive at the correct figures one-third, or, say, 33 per cent, should be added.

Jerked beef.—This production comes next to wool in importance and ranks second in the list of exportations from Uruguay. There are 23 "saladeros" in Uruguay where this beef is prepared, 14 of which are situated at points along the river Uruguay and 9 on the bay of Montevideo, opposite the city. The killing season begins in November and ends in May, this being the time of the year when cattle are in good condition. The cattle are purchased on the "estancias," or cattle farms, for account of the "saladeros," and are collected together and sent down in droves to the different establishments. The beasts are given a short resting spell, and are slaughtered and the beef prepared by men long accustomed to the work, as it needs much care and experience to prevent the meat from spoiling. The fleshy parts of the animal are dexterously pared off in such a manner as to look like a succession of skins taken from the same animal. These sheets of flesh, which are about an inch in thickness, are then placed in the sun on frames to dry. As soon as perfectly dry and decomposition prevented, the beef is piled in large stacks, care being taken to place between each layer of meat sufficient salt. The piles are then left until the salt has been absorbed and the meat dry and, in the judgment of the saladeros, fit for shipment.

The amount of beef produced during the year 1883 was 34,793,581 kilograms, valued at $3,479,358 gold. Our principal markets are Brazil and the island of

Cuba. The Government are making strenuous exertions to introduce this article into Europe, where the samples have been sent, and it is expected that on account of its small cost—say about 4 cents, gold, per pound put on board in this port—a large trade will be done. The following statement will show the comparative quantity and value of this article shipped to the different markets during 1884:

Countries.	Quantity.	Value.	Countries.	Quantity.	Value.
	Kilograms.			*Kilograms.*	
Brazil	21,766,060	$2,176,606	Spain	3,009	$301
Island of Cuba	10,755,512	1,075,551	France	11,534	1,153
Argentine Republic	173,889	17,389	Germany	10,376	1,038
England	1,227	123	Various	2,071,974	207,197

The beef sent to Europe is better prepared than that sent to Cuba and Brazil. In my opinion, a large trade could be done with the United States if the article were introduced there and the people taught how to cook it. Well prepared in the proper manner, it is very palatable and nutritious.

Navigation.—The progress of steam communication in the river La Plata is a very interesting study, and I regret that the time allowed for the presentation of this report will not permit of a more extensive treatment of the subject.

The first vessels authorized to carry the mails and passengers and specie from England were British men-of-war, viz, H. B. M. 10-gun brigs. These vessels ran for a considerable time between these countries and England and had fixed days for sailing, and I believe were monthly packets. They were replaced by the Royal Mail Steamer Company, which ran a monthly steamer from England, and was afterwards made bimonthly. The next company to put on a line of steamers was the Messageries Impériales, a French company, which ran from Bordeaux to the river La Plata. Both the lines were subsidized by their respective Governments and are still in existence; the latter is the Messageries Française. In 1883 the carrying trade between the river La Plata and Europe was done in 600 sailing vessels and 576 steamers, of which latter 203 were English, 118 French, 107 German, 48 Italian, 14 Spanish, with not one American steamer.

How to increase trade.—Rapid and frequent steam communication, the steamers to be adapted to carrying freight, with limited but good accommodations for passengers. Little or no duty on raw material, to enable the American manufacturers to produce goods as cheaply as their competitors in Europe. With quick transportation and cheap goods, the natural desire to do business with South America, and competition will soon give us banking facilities and whatever else may be needed for a large trade.

The European trade with these countries has grown to its present large proportions from small beginning, and ours must take the same course. South America, lying at our doors, is naturally our market, and with good legislation and experience must in time be entirely our own.

I have the honor to be, very respectfully, your most obedient servant,

THOMAS W. HOWARD,
United States Vice-Consul.

The COMMISSION TO THE CENTRAL AND SOUTH AMERICAN STATES.

THE ARGENTINE REPUBLIC.

[Extracts from the report of the commission concerning its conference with the Government of the Argentine Republic.]

Memoranda of topics to be considered at an interview between the Government of the Argentine Republic and the commissioners of the United States.

(1) The advantage of closer commercial and political relations between the Argentine Republic and the United States.

(2) The United States is willing to lend its moral influence in any just manner to protect the peace and prosperity of the Argentine Republic.

(3) The advantages of holding an international congress of delegates from all the American republics to discuss and agree upon means to secure permanent peace between the nations of this hemisphere; to arrange a mode for the settlement of differences without an appeal to arms; to present a united resistance against the encroachments of European powers or their interference in American affairs, the doctrine of the United States being that American trade shall be confined as far as possible to American waters; that the American nations are capable of settling

their own disputes, of determining what is best for their own interests, and should protect, defend, and encourage the development of each other.

(4) The advantage of a common silver coin to be issued by each of the American nations in a just proportion and be a legal tender in all commercial transactions between citizens of the several republics (to which the assent of Mexico, Venezuela, Costa Rica, Guatemala, Honduras, Ecuador, Chili, and Peru has already been given).

(5) The advantage of reciprocity between the Argentine Republic and the United States, by which the products of either country may be admitted free into the other when carried in Argentine vessels or those of the United States; such treaty to guarantee the protection of persons and property and to provide for the settlement of all questions involving the same by arbitration.

(6) What can the Argentine Government suggest for the Government or the people of the United States to do to increase trade between the two Republics?

The formal topics submitted for consideration at our conference with President Roco, of the Argentine Republic, and his Government were all cordially approved and accepted by them. Nowhere has the commission met with more genuine cordiality, and nowhere has the desire for closer political and commercial relations with the United States been so apparent as in the Argentine Republic.

That country aspires to be to South America what our country is to the northern continent, and is making very rapid strides toward such a position. They imitate us in all their institutions, place their children under teachers brought from the United States, and in their national policy endeavor to follow as closely as possible the path which we have found leading to prosperity and internal development.

The President earnestly desired more intimate commercial relations with the United States, but said that it was useless to expect such trade without transportation facilities.

The Argentine Government was willing to do as much as the United States in giving financial aid to a steamship company that would sail vessels between the ports of the two countries, and he hoped that our Congress would do something at once, so as to make the markets of the United States accessible to the Argentine Republic. He looked to the United States to lead in this as in other measures, and we were requested to assure our Government that his own would immediately follow and do its share in any movement that would increase trade or unite the two countries in closer political relations.

To come back to the fact stated in the commencement of this report—the small trade we have in manufactured goods with a people who have for us such kindly feelings—a mass of statements on this point is herewith submitted from gentlemen of the largest experience and information on commercial questions. We need not refer to them separately, though each one has its own peculiar thought. That of Mr. Bowers comes from a successful American merchant; that of Mr. Christophsen is that of the consul of Russia, Sweden, Norway, and Denmark at Buenos Ayres, and also agent for several steamship lines. The tables of shipping, tonnage, and nationality for the Plate River and Europe, the statistics of the imports, percentages, and nationality whence received of the Argentine Republic for a series of years, and the general review of the steamship lines and their subsidies, given by Mr. Christophsen, will be found useful and suggestive. And in this connection we refer to the proposed establishment of the Mexican line of steamers between Vera Cruz and the La Plata ports. The aid given it by the Government of Mexico will be found in a short extract taken from the New York Marine Register, and a full transcript of the extract will also be found in the accompanying papers.

We also call attention to two extracts from the message of the Executive of the Republic, one in 1879 and the other in 1882, on the subject of steamship lines between the Argentine Republic and our own country. They not only prove the desire of these people to become on closer terms with us, but their willingness to aid in that direction in a manner very liberal, considering their European connections. One of these extracts forcibly presents the great respect in which our country is held by the Argentine Government.

THE ARGENTINE IMPORTS.

The imports of the country for 1883 exceeded $80,000,000; probably for 1884 they will reach $85,000,000. Of this trade our country only has 6¼ per cent. And of this small per cent a mere fraction consists of articles into which much labor has gone. Lumber covers more than one-third of it; kerosene over one-ninth. We send bulky articles, like agricultural machinery and railroad supplies, and on this point we again call attention to the statement of Mr. Consul Baker, wherein he shows how feeble is our commerce in that great list of manufactured goods in which our country so much excels. There is but one course for this diminished trade, one thing without which our commerce on these coasts will always languish.

It is that one mentioned by every one here from the president of the Republic, the minister of foreign affairs, to the most plain and practical man of business—steamship communication, frequent and direct, and American, between our ports and those of this country. This once established, placed on a sure and permanent basis, under fair limitations as to freights and passage so that our merchants and manufacturers can lay down their goods and through agents or personally visit these shores at no greater expense than their European rivals, and the beginning of the supremacy of American goods in the great valley of the La Plata is assured. Toward this consummation will confederate the kindly feelings of the people and Government toward the Republic whose example they follow and revere.

The undoubted superiority of most of our goods, the greater fidelity that enters into them, their adaptibility to the wants of the people, all will tend to the same result. Finally, the address and push of the commercial classes, with a fair chance and an open market, will outstrip in many ways the slower processes and methods of their Old World competitors.

THE STEAMSHIP QUESTION.

The fact that the Belgian Government has just concluded a subsidy convention with Lamport & Holt to secure three steamers each way monthly between Antwerp, Rio Janeiro, and Buenos Ayres, at a cost of $50,000 annually for fifteen years and exemption from all port dues in Antwerp, shows how highly that little kingdom appreciates the nature of these connections, and also tends to establish the necessity of Government aid in our case where we have no present steamship connections to begin with. Doubtless the investment will prove a good one for Belgium. It is the only way she can hope to build up trade with the South American ports. We incline to the belief that in case of aid being granted on the part of our Government toward such lines it also should cover the port of Rosario. Lamport & Holt's steamers, drawing 18 feet and under, already visit that place, and it is beyond a reasonable question that within a short time the bar which now keeps vessels of greater draft from running up to the moles of Rosario will be opened. This being done, the city must assume very great importance; indeed, it has that now. But with improved water communication its trade with the interior, even far into Bolivia, will take a long forward step. The port of Buenos Ayres is not yet what it should be; heavy steamers anchor out of the town many miles, and the pamperos are as troublesome here as at Montevideo. The project for improving the harbor covers an expenditure of many millions of dollars, and its realization lies far in the future.

Boga de Riacheulo, a new port, some 3 miles from the city, is advantageous for smaller vessels, but its use for ocean steamers is limited to those of 20 feet draft, and even these more often receive cargo from the city front. Whether Rosario is or is not embraced in the La Plata ports to be visited by our steamers is perhaps a matter that will follow the wants of commerce when once the lines are well fixed. In this building up of a merchant marine between the United States and the La Plata Valley, beyond its immediate commercial aspect there is brought into view its effect in drawing more firmly the kindly ties that bind our countries into friendly alliance. As we have before noted, this line will unite the power of several countries in its promotion. The Empire of Brazil already in part sustains a monthly line to its ports from New York, and it would undoubtedly increase its contribution for greater service. The Oriental Republic of Uruguay would concede valuable harbor privileges and port exemptions, and the Argentine Republic can be relied on for a very liberal financial contribution, and above these amounts our own country should grant aid so liberal and for such time as to put competition out of the question. A line thus supported by a union of the several powers would tend to intimate international and commercial relations between the interested countries. Mexico, with her few manufactures and exportable products, finds it worth her while to extend Government aid to establish a line of steamers to these South American ports, and it is quite certain her policy will give her national character and her products increased predominance in all those harbors where her flag shall go.

CONFERENCE WITH THE GOVERNMENT.

It was a source of regret that we could not accept the courtesy of the Argentine Government in tendering to us freedom of the railroads, so that we might from personal observation form an idea of the great resources of the land. The severe storms, one on the Pacific coast and one at Montevideo, detained us five days beyond the schedule time, and this shortened that much of our visit to this country. It is probable, however, that we should not have attained any fuller or more accurate information than that herewith presented; but it would have proven a source of gratification to ourselves. We were formally received by the President

and the minister of foreign affairs at the palace, at which interview we read an address, a copy of which will be found herewith. The President responded orally; a translation of his remarks is also transmitted herewith. Before our reception the minister of foreign affairs held a long conversation with us on the subject of our mission. He stated fully the views of his Government on the main topics, which were afterwards reaffirmed by the President.

The project of a convention of the countries of Central and South America and the United States meets the hearty approval of this Government. The question of a common silver coin should, in its opinion, be referred to that body, though the desirability of establishing such a coinage is very strongly advised by it.

A reciprocity treaty would be willingly formed, if a basis for it could be found. The chief product of the Republic, and one which might have most use in the United States, is wool, hardly any of which now seeks the ports of our country. But on this point we were not able to offer any suggestion looking toward the abolition of the duty upon it in our country. When our country chooses to admit wool free of duty from South American countries, then, with all of them, save possibly Chile, reciprocity treaties advantageous to both sides can be negotiated. Until then the matter need not be discussed.

On the leading question—how can better relations, friendly and commercial, between the countries be established?—both minister and President returned the same answer—create frequent steamship communication. They expatiated at some length on its benefits to both lands. They saw in it a better acquaintance on their own part, their leading men, of the habits and policy of our country, and with that would come greater desire to rival us in the institutions of freedom. They believed their own people would take on broader and more generous views when they had once come into close business contact with our own; and then, too, they felt that our people would bring to the Argentine Republic capital and progressive ideas when they should be informed of the great future lying before it. They claimed that if the United States thoroughly comprehended the vastness of undeveloped wealth of this region, its money and sons would flow hither in streams of profit to each side. Hence it was that the Argentine Government stood ready, at any time the United States should foster the scheme, to unite with it on just terms in establishing frequent and cheap steam communication between the respective countries. The earnestness of both the President and minister on this question was very manifest.

The kindness with which they spoke of the few American merchants and business men in their midst, and their appreciation of their high character and the good name they had given our country was very cordial. Such men they were glad to welcome to this country. The President repeatedly thanked our Government for sending this special message of good will, and he expressed a regret, which we heartily felt also, that our time was so limited.

It will be a great mistake if the Argentine Republic is not attached to the United States by far stronger ties than exist to-day. The way to it is easy and open.

[Inclosure A.]

EXPORTS AND IMPORTS OF THE ARGENTINE REPUBLIC.

Imports from 1876 to 1883.

From—	1876.	1877.	1878.	1879.
Germany	$1,796,354.38	$2,056,809.68	$2,203,875.75	$2,292,574.44
West Indies	230,180.61	162,456.85	97,407.62	132,775.33
Belgium	1,442,539.31	1,801,443.58	2,853,755.61	3,184,309.94
Bolivia	65,718.04	75,853.02	60,579.58	354,511.55
Brazil	2,213,902.48	2,549,035.89	2,173,811.65	2,298,410.72
Canada				
Chile	906,118.36	573,009.28	523,019.91	332,845.60
Spain	2,158,886.66	2,571,888.10	2,528,989.65	2,249,608.44
United States	1,943,466.21	2,344,301.99	2,856,047.91	3,921,379.81
France	8,361,291.27	8,198,792.89	8,985,110.88	9,408,982.88
Italy	2,381,722.36	2,059,970.65	2,611,763.80	2,718,586.88
Holland	505,346.48	501,814.54	381,903.55	306,548.25
Paraguay	736,964.47	669,657.14	590,783.68	748,378.75
Portugal	42,673.66	38,112.51	55,361.98	40,094.46
United Kingdom	8,967,146.12	9,847,960.18	11,901,968.75	12,431,467.48
Sweden				
Uruguay	1,856,048.11	3,112,797.86	2,067,369.73	2,191,326.56
Various	2,461,664.28	3,899,519.49	3,905,755.00	3,749,791.38
Total	36,070,022.80	40,443,423.67	43,759,125.05	46,363,592.50

EXPORTS AND IMPORTS OF THE ARGENTINE REPUBLIC—Continued.

Imports from 1876 to 1883—Continued.

From—	1880.	1881.	1882.	1883.
Germany	$2,365,151.78	$3,527,570.42	$4,764,622.50	$7,023,051.00
West Indies	135,712.06	88,724.25	124,379.20	109,175.00
Belgium	2,483,105.99	3,501,508.67	2,869,259.50	3,261,077.00
Bolivia	460,804.54	82,855.93	132,977.60	65,977.00
Brazil	2,410,220.36	2,675,141.05	2,153,769.40	2,181,720.00
Canada				29,860.00
Chile	520,242.34	23,565.22	13,691.11	242,617.00
Spain	2,474,287.83	3,425,559.55	2,906,155.91	3,790,760.00
United States	3,224,743.53	4,268,110.23	5,094,764.20	4,933,054.00
France	8,292,872.00	10,279,793.12	12,186,824.31	15,418,997.00
Italy	2,618,973.39	2,817,055.20	2,916,377.70	3,480,321.00
Holland	356,239.26	465,525.87	1,005,444.70	549,461.00
Paraguay	829,556.81	999,691.03	1,141,158.51	1,314,892.00
Portugal	50,069.22	43,405.25	36,740.11	28,080.00
United Kingdom	12,506,923.67	16,035,277.03	19,554,932.57	30,695,963.00
Sweden				12,009.00
Uruguay	3,237,586.86	3,266,950.84	2,892,911.70	4,443,447.00
Various	3,699,390.53	4,205,193.46	3,451,035.70	2,849,347.00
Total	45,535,880.37	55,705,927.13	61,246,044.72	80,435,828.00

Proportion of imports from 1876 to 1883.

From—	1876.	1877.	1878.	1879.	1880.	1881.	1882.	1883.
	Per ct.	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*	*Per ct.*
Germany	5	5.1	5	2.7	5.2	6.3	7.8	.7
West Indies	.7	.4	.2	.3	.3	.2	.2	.1
Belgium	4	4.5	6.4	6.9	5.4	6.3	4.7	4.1
Bolivia	.2	.2	.1	.8	1	.2	.2	.1
Brazil	6.4	6.3	5	5	5.3	4.8	3.5	2.7
Chile	2.5	1.4	1.2	.7	1.1	.4		.3
Spain	6	6.4	5.8	4.9	5.4	6.1	4.7	4.7
United States	5.4	5.7	6.5	8.5	7.1	7.6	8.3	6.1
France	23.2	20.3	20.5	20.3	18.2	18.4	19.9	19.2
Italy	6.6	5.1	6	5.9	5.7	5	4.7	4.3
Holland	1.4	1.2	.9	.7	.8	.8	1.6	.7
Paraguay	2	1.6	1.3	1.6	1.8	1.8	2	1.6
United Kingdom	24.9	24.3	27.2	28.8	27.5	28.7	31.9	38.3
Uruguay	5.1	7.7	4.4	4.7	7.1	5.8	4.7	5.5
Various	6.9	9.8	9.2	10.2	8.1	7.6	5.8	3.6
Total	100	100	100	100	100	100	100	100

Quantities and values of the imports of the United States from the Argentine Republic.

Year ended June 30—	Fur skins, undressed.	Hair, unmanufactured.		Hides and skins, other than furs.	Fancy goods.	Wool, unmanufactured.		Other merchandise.	Total imports.
		Quantity.	Value.			Quantity.	Value.		
		Pounds.				*Pounds.*			
1869		2,050,808	$424,727	$3,601,650	$30,364	8,249,659	$1,020,737	$85,489	$5,162,966
1870		1,060,697	263,567	4,256,334	12,183	16,741,420	1,853,105	29,480	6,414,669
1871	$4,269	1,692,607	442,348	3,740,505	32,183	23,333,237	2,605,956	215,314	7,040,575
1872	85,594	1,683,913	486,424	4,774,462	142,697	24,731,894	3,608,147	72,658	9,169,982
1873	4,526	1,491,386	470,511	3,512,311	133,352	17,449,563	3,407,187	59,856	7,587,843
1874	897	1,094,237	309,258	2,695,118	127,140	8,502,627	1,276,456	128,801	4,537,670
1875	41,293	1,079,039	278,879	4,126,039	117,666	8,999,693	1,241,916	28,916	5,834,709
1876	105,618	1,260,837	308,441	1,969,923	94,384	7,376,249	1,030,278	94,092	3,602,736
1877	38,026	740,961	130,620	2,071,161	58,163	8,166,025	1,056,262	95,077	3,449,309
1878	59,859	974,431	163,964	3,380,747	78,973	9,489,121	1,191,429	73,044	4,948,016
1879	59,138	1,235,277	196,181	2,377,385	55,205	6,929,514	791,883	38,313	3,518,105
1880	250,342	1,875,335	314,221	3,865,168	86,498	12,278,776	1,625,378	72,968	6,214,575
1881	33,174	1,320,004	227,202	4,261,833	39,214	6,163,223	1,015,685	42,132	5,669,240

EXPORTS AND IMPORTS OF THE ARGENTINE REPUBLIC—Continued.

Quantities and values of the exports from the United States to the Argentine Republic.

Year ended June 30—	Agricultural implements.	Cotton manufactures.	Drugs, chemicals, medicines, acids, ashes, and dyestuffs.	Iron and steel and manufactures of same.	Naval stores.	Oils, mineral, refined.		Provisions.	Spirits, distilled from grain.	
						Quantity.	Value.		Quantity.	Value.
						Gallons.			*Gallons.*	
1869	$147,494	$116,730	$84,568	$291,767	$23,817	141,994	$51,565	$50,114	.....	.....
1870	186,913	119,522	50,230	224,636	8,315	439,146	142,351	83,625	.....	.....
1871	64,605	47,280	40,681	121,692	6,994	574,204	161,726	46,210	.....	.....
1872	103,680	38,680	63,628	152,391	15,433	478,423	141,712	32,974	2,029	$1,414
1873	227,107	99,165	77,252	461,727	35,113	986,350	295,327	70,782	127,751	59,583
1874	112,889	74,634	65,641	359,578	25,545	669,122	143,112	41,387	110,271	54,171
1875	73,933	62,261	55,858	195,219	17,856	290,625	54,857	39,644	49,698	25,941
1876	53,757	37,493	62,463	173,859	14,110	769,795	144,962	51,073	23,113	9,000
1877	78,772	77,501	16,440	68,127	26,877	862,147	231,291	27,320	230,905	83,380
1878	99,137	203,048	39,600	166,417	27,881	1,662,389	283,810	34,644	444,848	162,949
1879	203,078	157,872	49,705	153,812	7,034	950,320	118,781	25,033	490,740	150,987
1880	105,516	133,737	61,687	168,418	33,356	1,445,692	161,091	41,186	445,678	120,454
1881	221,052	184,575	56,170	272,175	32,207	1,172,329	150,882	30,935	1,065,871	217,612

Year ended June 30—	Sugar, refined.		Tobacco and manufactures of same.	Wood and manufactures of same.	Other merchandise.	Total exports of domestic merchandise.	Total exports of foreign merchandise.	Total exports of merchandise.
	Quantity.	Value.						
	Pounds.							
1869	98,484	$15,248	$23,138	$852,484	$578,164	$2,235,089	$205,154	$2,440,243
1870	201,773	28,940	63,698	486,130	885,740	2,281,100	188,766	2,469,866
1871	100,161	14,411	58,675	184,060	457,032	1,203,366	89,110	1,292,476
1872	197,640	24,541	97,846	282,370	363,613	1,324,282	135,382	1,459,664
1873	966,621	106,585	166,659	736,492	649,669	2,985,661	249,331	3,234,992
1874	420,910	42,935	108,698	576,899	663,014	2,478,513	155,450	2,633,963
1875	1,043,709	115,517	80,569	276,830	302,809	1,301,294	138,324	1,439,618
1876	3,355,851	363,782	118,427	225,921	264,343	1,519,190	65,862	1,585,052
1877	1,558,636	178,168	116,190	102,532	122,580	1,129,168	97,614	1,226,782
1878	3,060,259	332,684	157,398	197,795	308,224	2,013,587	138,522	2,152,109
1879	5,632,623	481,180	80,804	294,733	300,382	2,023,401	103,722	2,127,123
1880	3,088,094	269,385	108,040	265,995	310,636	1,779,501	103,340	1,882,841
1881	3,326,840	298,157	132,201	320,546	341,671	2,258,183	169,680	2,427,863

STATEMENT OF PETER CHISTOPHESON,

Of Buenos Ayres, merchant, and consul at Buenos Ayres of Denmark, Russia, and Norway and Sweden.]

The present condition of steam communication with the United States is highly unsatisfactory.

No direct connection exists between this river and ports of the States, except through occasional steamers of the Lamport & Holt Line, and these are mainly adapted for cargo, while passengers bound for the United States have to embark by way of Europe or take a steamer hence to Rio Janeiro, and from there proceed in one of the three steamers belonging to the United States and Brazil Mail Company, or by the Royal Mail steamers lately established between Rio and New York.

While thus the communication from here to the States is imperfect, there is not a single steamer leaving that country for this river. Passengers bound to South America have to go by the way of Europe or to avail themselves of the monthly steamers dispatched by the United States and Brazil Company to Rio.

As for cargo it is impossible to have it shipped in the States for these ports, except by sailing vessels or via Europe, as the heavy charges in Rio make transshipment in that port out of the question. This state of things is the more to be regretted considering the enormous increase of trade during the last years and the general development of this country, and the importance assumed by the steam navigation with Europe.

Up to the year 1862 no direct line of steamers united this country with any European ports, and communication with steamers was entertained only by the

aid of two monthly boats, one of the Royal Mail Company from Southampton to Rio, with auxiliary steamers running between that port and Buenos Ayres, and one of the French, then Messageries Impériale, and to-day Messageries Maritimes. In 1862 these two companies started almost simultaneously one direct steamer from Southampton and Bordeaux to this river, while Messrs. Lamport & Holt organized a service of cargo boats. Since then several French, English, and Italian companies were started, but it is only from the year 1871 that a considerable increase has been noticed in our steam communication.

At present as many as 30 regular mail steamers arrive every month, while double this number visit our port during the busy seasons.

This increase has been effected without any effort or pecuniary sacrifice on the part of the Government, and has only obeyed the steady development of the country's commerce and the inducement held out as a field for immigration from Europe.

It must be observed that some of the European governments have assisted shipowners by granting subsidies to certain steam lines, but these subventions have been of a general nature and not exclusively for this trade. The Royal Mail Steam Company and the Pacific Steam Navigation Company have been allowed an annual sum for carrying the mails. Messrs. Lamport & Holt have a contract with the Belgian Government, of which the principal conditions are as follow in the printed contract inclosed.

The French steamers enjoy the benefits of the bounty law, put into force in 1881, granting a premium to all French steam and sailing vessels, which is fixed at 1.50 francs for every 1,000 miles done for new vessels on leaving the building yard, which premium decreases annually as follows: 0.075 franc for wooden vessels; 0.075 franc for mixed vessels (wood and iron); 0.05 franc for iron vessels. Besides this, a special allowance is granted to the steamers of the Messageries Maritimes of 100,000 francs for each steamer each trip running to the river Platte (twice a month). Besides this allowance no other subsidy is given either to English, German, or Italian lines.

The Argentine Government, understanding the importance of a line of steamers between this country and the United States, and anxious to contribute to its establishment, issued a decree so far back as 1865 granting a subsidy of $20,000 a year to the first line that would solve the problem. This sum not being found adequate to meet the expenses of a regular line of steamers, at least until the traffic between the two countries had assumed larger proportions, the law remained a dead letter. During the administration of General Sarmiento the matter was again taken into consideration without its leading to any results, and it was only during the last year of the presidency of Dr. Avellaneda that an American company volunteered to make a contract to establish monthly steamers against a subsidy of $100,000 a year. The executive power sent a message to congress to this effect, but it was never discussed; the actual President, General Roca, renewed its request to congress, which is still in abeyance.

One of the reasons why congressmen are rather lukewarm on the subject, in spite of the utility of such a line, is the fact that the Government of the United States shows so little interest in the matter, refusing to give any subsidy, and even imposing protectional duties on our principal staple article—wool—to an extent to render its export to the States impossible. There is no doubt that the Argentine Government would be willing to grant a subsidy of about $100,000 yearly for a period of, say, ten years, if the American Government granted at least a similar amount, and my impression is that as long as the trade between the two countries is limited to its present state, and until the frequent intercourse has fostered fresh relations, a sum of, say, $20,000 per round trip for each steamer would be required to guarantee owners against loss.

The Brazilian Government having granted a subvention to an American line some years ago, a regular service is now kept up between New York and Rio, with intermediate Brazilian ports.

It might be convenient for any new company starting to amalgamate its interests with this line, especially if a bimonthly service were organized.

In connection with the above it might be expedient to consider the convenience of availing of the law, recently issued by the Mexican Government, granting a considerable yearly subvention for a line of steamers between Vera Cruz and Buenos Ayres, and as the Government of that Republic does not make it a condition that the steamers shall carry the Mexican flag, an American line might easily obtain this contract.

In this way a perfect communication between the principal countries of North and South America might be established on a sound and safe basis of equal interest from political as well as from a commercial point of view. The ports to call at might be New York, New Orleans, Vera Cruz, Habana, St. Thomas, Bahia, Per-

nambuco, Rio, Montevideo, and Buenos Ayres, with transshipment to Paraguay and Bolivia. It would be a matter of special study to fix the ports of call of each of the two monthly steamers as well as the itinerary of the homeward voyage in order to profit of the exports from this river to Brazil, Habana, and the States as from the Brazilian ports.

This subject is of vital importance, especially to the Government of the United States, as a regular line of steamers more than anything else is calculated to increase North American influence and supremacy in these countries, making them independent of the European markets.

Steam navigation between the River Plate and Europe.

Name of company and where from.	Names of steamers and tonnage.		
ENGLISH.			
	Tons.	*Tons.*	*Tons.*
Royal Mail Steamship Company (2 steamers per month)—from Southampton, Antwerp, Brazil.	Tagus 1,892	Mondego 1,540	Avon 1,403
	Tamar 1,811	Minho 1,491	Elbe 1,773
	Trent 1,874	Neva 1,882	La Plata 2,147
	Guadiana 1,597	Derwent 1,605	Humbert 2,371
Allan Line (9 steamers per year from October to March)—from Antwerp and Havre.	Canadian 1,869	Corinthian 2,560	Lucerne 1,252
	Phœnitian 1,493	B's Ayrean 2,560	Waldensian
	Nestorian		
Lamport & Holt (6 to 10 steamers per month)—from Liverpool, Antwerp, and Brazil.	Archimedes 966	Bessel 1,243	Biela 1,491
	Buffon 1,504	Cuvier 1,499	Dalton 1,332
	Delambre 988	Donati 887	Euclid 995
	Flaxmann 1,417	Galileo 1,446	Gassendi 801
	Halley 1,210	Handel 1,293	Herschell 1,274
	Herclius 1,682	Hipparchus 1,251	Hogarth 1,349
	Holbein 1,338	Horrox 1,101	Humboldt 1,059
	Kepler 1,759	Dalande 679	Laplace 901
	Laplace 921	Lassell 1,376	Leibnitz 1,455
	Lemnos 1,343	Lis card 1,278	Maskelyne 1,678
	Meuling 633	Memnos 823	Mozart 1,303
	Nasmyth 1,303	Olbees 1,389	Pascal 1,505
	Plato 1,004	Ptolemy 891	Rossee 1,083
	Rubens 1,265	Sirius 1,410	Strabo 1,281
	Teniers 1,018	Tycho Brahe 1,257	Vandyck 1,098
	Norfolk, 1,158		
Pacific Steam Navigation Company (2 steamers per month to Montevideo)—from Liverpool, Spain, Brazil, and western coast.	Iberia 4,671	Araucania 2,877	Valparaiso 3,575
	Aconcagua 4,106	Magellan 2,856	Potosi 4,218
	Cotpaxi 4,027	Patagonia 2,866	Britannia 4,129
	Liguria 4,666	Galicia 3,829	John Elder 4,151
Walford Line (1 steamer per month)—from Antwerp and Liverpool.	Pante 1,688	Petrarch 1,297	Tasso 1,281
	Pelago 1,279		
Castle Line (1 steamer per month)—from Antwerp and Liverpool.	Castle Bank 1,231	C. Hill 1,184	C. Craig 1,274
	Castle Gate 1,180	C. Dale 1,532	C. Eden 1,383
Clyde Line (1 steamer per month)—from Antwerp and Liverpool.	Titania 1,405	Cynthia 1,409	Colina 1,297
	Marana 2,500		
Nautilus Company—from Antwerp and Liverpool.	M. Branch	Pine Branch	Palm Branch
GERMAN.			
Hamburg Steamship Company (2 steamers per month)—from Hamburg, Antwerp, & Brazil.	Santos 1,610	Rio 1,274	Bahia 1,413
	Petropolis 1,495	Buenos Ayres 1,564	Argentina 1,414
	Bavario 1,379	Corrientes 1,456	Holstein 2 1,103
	Montevideo 1,476	Hamburg 1,284	Lissabon 1,500
	Ceard 1,471	Valparaiso 1,543	Uruguay 1,506
	Paranagua 1,291	Pernambuco 1,523	
North German Lloyd's (2 steamers per month)—from Bremen, Hamburg, Brazil.	Berlin 2,082	Hannover 1,794	Habsburg 1,876
	Braunschweig 2,150	America 1,763	Wurtemberg 1,916
	Hohenstaufen 1,905	Baltimore 1,585	Ohio 1,742
	Hohenzollern 1,900	Frankfurt 1,787	G. Werder 1,820
	Hermann 1,984	Strassburg 1,694	G. Bismark 1,432
	Koeln 1,863	Condor 1,873	Leibzig 1,981
	Salier 1,984	Wesser 1,942	K.P.T.Wilhelm 1,599
Kosmos Line (1 steamer per month)(2 to Montevideo)—from Bremen, Hamburg, West Coast.	Kanbyses	Meuse	Sakkarah
	Tolmes	Theben 1,216	Memphis
	Setos	Ramses 1,166	Ibis 1,096
	Weco	Urada	Luxor
FRENCH.			
Messageries Maritimes (2 steamers per month)—from Bordeaux, Lisbon, Brazil.	Congo 2,444	Equateur 2,497	Wiger 1,346
	Gironde 2,065	Orenoque 2,480	Amazone 2,072
	Senegal 2,055		

Steam navigation between the River Plate and Europe—Continued.

Name of company and where from.	Names of steamers and tonnage.		
FRENCH—continued.			
	Tons.	*Tons.*	*Tons.*
Chargeurs Réunis (3 steamers per month)—from Havre, Bordeaux, Dunkirk.	Parana..... 2,537	Portena 1,462	V. de B. A..... 1,553
	Uruguay 2,530	Rio Negro 2,536	V. de Mont 1,559
	Dom Pedro ... 1,957	San Martin ... 1,778	V. de Para..... 1,559
	Pampa..... 1,977	Belgrano 1,646	V. de Bovaio... 1,555
	Vde Rio Jan'ro 1,008	V.deSanNic'la 1,550	V. de Maranha. 1,775
	V. de Victoria 1,775	V.deParanaha 1,559	Sullya 954
Transports Maritimes (2 steamers per month)—from Mediterranean.	Bourgogne.... 1,474	Poitou 1,404	Bearn 2,977
	La France ... 2,428	Provence 2,890	Savoie 1,726
Apesteguy Bros.—from Bordeaux.	Varconia..... 707	.....	.....
Fabre & Co.—from Bordeaux	Diolibah 1,092	Patria 927	.....
SPANISH.			
Antonio Lopez & Co.—from Mediterranean.	Vidal Sala 1,600	Ana Sala..... 1,452	.....
ITALIAN.			
La Veloce (2 steamers per month)—from Mediterranean.	N. America... 2,003	S. America.... 1,260	Europa 1,291
	N. Bruzzo 2,300	Napoli 1,138	.....
Floria Rubatino and Baggio Co. (2 steamers per month)—from Mediterranean.	Perseo 2,402	Inizativa..... 1,299	Manila..... 1,384
	Orione..... 2,425	Abissinia 1,585	Singapore 1,984
	Sirio 1,337	Bonnida 1,342	Entella 1,432
	Scrivia..... 1,551	Bengala..... 1,468	Biragno..... 1,221
Piaggio & Co. (2 steamers per month)—from Mediterranean.	Italia 1,100	Maria 1,180	R. Margherita. 1,823
	Umberto 1°... 1,080	Adria 1,350	.....

STEAMSHIP SERVICE WITH BELGIUM.

The agreement between the Liverpool, Brazil and River Plate Steam Navigation Company, familiarly known as the Lamport & Holt Line, and the Belgian Government for the carrying of the mail is as follows:

The company undertake to establish a first-class steamship line between Antwerp, Rio Janeiro, Montevideo, and Buenos Ayres, three steamers a month each way, the steamers being required to call at certain ports designated by the Government of Belgium on certain days, also to be designated by the Government, making the distance between Antwerp and Buenos Ayres in thirty-five days. The contract extends to fifteen years, and the company receives a guarantee of 250,000 francs per annum and is exempted from all port dues at Antwerp and has the same privileges in South American ports.

In 1881 a company called the Canadian and Brazilian Direct Mail Steamship Company was organized by English bankers and received a subsidy of $50,000 from the Canadian government and $50,000 from the Government of Brazil for the establishment of steam communication between Montreal and Rio Janeiro. The company was organized and run for two or three months, employing four steamers of 2,200 tons burden each, but for some reason the steamers were withdrawn and the project abandoned.

[Extract from the Buenos Ayres Herald.]

The Mexican Government has granted a concession to the Mexican South Atlantic Colonization and Mail Steamship Company to establish a line of steamers between Vera Cruz and Buenos Ayres, touching at St. Thomas, Rio de Janeiro, and points in Uruguay and Paraguay. The steamers will make monthly round trips, and the company will receive a subsidy for each trip of $18,000 for the first ten years, $16,000 for the second ten years, and $14,000 for the third ten years, carrying the mails free and Government employees, civil and military, for half fare. The company will be allowed to bring 300 colonists monthly and will be compelled to bring at least 500 yearly. They will receive two-thirds fare for each colonist, the fare not to exceed $25. In case of a foreign war, the Government will have the privilege, if the company suspended their trips, of using one-half the vessels belonging to the company as war ships, paying $7,500 monthly for their use. The vessels of the company must be of the first class, four of 2,000 tons each and two of 1,000 tons each. After the Government shall have paid the subsidy for seven years the

company will be obliged to deliver to the Government a war transport of 2,000 tons free and after fourteen years another vessel of the same class.

STEAMSHIP COMMUNICATION WITH THE UNITED STATES.

[Translated from the message of the Executive power in 1879 to the National Congress of the Argentine Republic.]

To the honorable National Congress:

It was always a persistent design of the public powers of the nation to establish the direct navigation between the ports of the Republic and the United States, in order to thus complete our system of exterior communication.

In 1865 the Congress passed a law granting a subsidy for this object.

The President, Sarmiento, announced in one of his annual messages that this subsidy would at last be applied, and the actual administration renewed for two years this business, asking Congress to augment the subsidy granted, and which had proved insufficient, when all was suspended because the company that had undertaken this enterprise could not obtain from the United States Senate the pecuniary auxiliary that was indispensable for its attempt.

For the first time, after an expectation so long delayed, a responsible company directed by the firm that constructs vessels of the best reputation in the United States, and it has conditions to realize the communication that have been sought with so much reason.

The Executive power considers it useless to dilate on the considerations upon the advantages of a direct communication with the most powerful, commercial, and free nation that has best realized the forms of government that we have accepted, following precisely its example. This other market that opens itself is a new interchange for the men, the ideas, and the products.

But the conditions of the enterprise are onerous, and the Executive power complies with its duty in submitting to the honorable Congress in order that it resolve itself upon the subject.

The enterprise asks 10,000 francs monthly and the maintaining of this subsidy for ten years. After divers conferences with the minister of the interior it has reduced its conditions to 100,000 francs per annum, the subsidy lasting seven years.

The Executive power incloses with this message all the antecedent writings of the business.

May God guard the honorable Congress of the nation.

N. AVELLENADA.
B. LORRILLA.

Proposition of the company.

The Argentine Government, in view of the services which this line lends, that will be the first step in uniting the Republic with the grand North American Continent, will pay to Messrs. John Roach & Son the sum of $8,000 (8,000 hard dollars, gold) for every round voyage for the term of eight years, paid on the return of each steamer from the round trip, with a corresponding receipt from the administration of post-offices on its having duly delivered the mails.

The steamers will be subject to the laws and ordinances that exist in the Republic for steam packets; they shall carry the correspondence of the Argentine Republic to whatever point at which they touch without any remuneration, making a rebate of 33⅓ per cent in prices of passage of the immigrants and 50 per cent on the passage of each employee of the Government who can justly show that his voyage is on account of the Government. They will also make a rebate of 25 per cent on whatever freight they may carry on behalf of the Government, such as materials of war, etc.

[Translation from the message of the Executive power to honorable National Congress of the Argentine Republic, 1882.]

To the honorable Congress of the nation:

Our commerce with the United States of North America has taken a favorable development that it is convenient to encourage by means of the establishment of a regular line of communication.

This necessity has been felt since some time past, and a law of 1865 destined the sum of $20,000 (fuertes) to subsidize the first line of steamers that was established between the ports of Buenos Ayres and New York. The Executive power does not believe it necessary to enlarge in considerations upon this subject, that, if promptly favored, is bound to influence in a most powerful manner the national commerce.

The interests of our country will be benefited by a more intimate contact with the great producing and manufacturing nation of North America, in whose markets the Argentine products will find easy and abundant collocation.

An enterprise has solicited of the Executive power its consent for a subsidy, with the object of establishing this line of communication, and he remits to your honorable body the petition presented by it.

In view of the preceding considerations the Executive power solicits of your honorable body the sanction of the accompanying project.

May God guard your honorable body.

ROCA.
BERNARDO DE IRIGOYEN.

The Senate and House of Deputies, etc.:

ARTICLE 1. It authorizes the Executive power to grant a sum not exceeding 96,000 hard dollars (fuertes) annually, the subsidy offered by the law of the 18th of August of 1865, to a line of steam navigation between the ports of Buenos Ayres and New York.

ART. 2. Communicate, etc.

IRIGOYEN.

THE RAILWAY DEVELOPMENT OF THE ARGENTINE REPUBLIC.

[Washington dispatch to the Chicago Inter-Ocean, November 13, 1885.]

His excellency Señor Don Vincente Quesada, the new minister from the Argentine Republic, has just received some information from his Government the importance of which will be realized by our exporters and particularly the manufacturers of locomotives, rolling stock, and other railway supplies. Some years ago the Argentine Government commenced the construction of a vast system of internal improvements, embracing railway lines to the various parts of the Republic, running like the spokes of a wheel from Buenos Ayres, the hub, into the interior, and intended to reach not only the interior provinces, but the surrounding nations—Brazil, Chile, Paraguay, Uruguay, and Bolivia. These lines of road were to supplement and reenforce the great natural facilities for transportation furnished by the Rio de la Plata and its branches, which in themselves give a longer system of water navigation than is to be found in any other country on the globe and realize the ambition of the Argentines, which is to make Buenos Ayres the commercial metropolis of South America, as London is to Europe and New York to the United States.

In addition to the railway system the harbor of that city was to be improved so as to make it more convenient for vessels to receive and discharge cargoes. What is now termed the harbor of Buenos Ayres is no harbor at all, but only an open roadstead in the Rio de la Plata, in which vessels are compelled to anchor 8 or 9 miles out and receive and discharge their cargoes by means of launches and lighters. The water is so shallow along the shore in front of the city that even the lighters can not get to the docks, but goods are first loaded into carts with immense wheels high enough to drive into 3 feet of water and broad enough to keep them from sinking into the sand. These carts are hauled by mules and oxen out into the stream where their contents are transferred into lighters which convey them out to the vessels. Sometimes when a "pampero" or prairie wind prevails it is impossible to do business even on this plan, and vessels are often detained several days by such causes.

In order to obviate this difficulty it has long been contemplated to construct an artificial harbor by extending two long piers from the shore into the river several miles, and excavating a basin between them, so that the largest ocean vessels can tie up at the docks.

The estimated cost of this enterprise is $10,000,000. The city of Montevideo, Uruguay, across the River Plate from Buenos Ayres, has suffered from similar inconvenience and has recently made a concession to a French company to construct a harbor which will cost not less than $4,000,000. This concession requires that the French company shall inclose with piers or breakwaters a space sufficient to furnish plenty of harbor room, in consideration for which it is to be permitted to charge a fee of a certain amount on every package that is landed or loaded during the next ninety-nine years. These fees are to be collected by the customs officials and a certain percentage of them are to go into the public treasury of Uruguay. Contracts have been let and the work has already been commenced.

Stimulated by the enterprise of her rival across the river the Argentine Republic has undertaken the construction of a similar harbor. But the railway enterprises of the Government have been such a drain upon the treasury of Argentine

as to cause serious financial embarrassment. Treasury notes were issued, but immediately fell to a discount of 20 per cent, and it was feared that the credit of the Government abroad would be impaired. The Argentines have always been very proud of the financial standing of their Government, whose bonds have never been below par, but are selling at a premium of 4 and 5 per cent in the London market—the only South American securities that stand so well. The Government also feared that an attempt to place another loan of the amount necessary would impair the value of its outstanding securities and was considerably perplexed by the problem it was required to solve.

A happy solution has finally been reached. Señor Quesada has received official information that the Government has made a contract with Lucius Gonzales, twice secretary of the interior and once secretary of state, to complete all the railways now in progress and construct such a harbor as has been proposed. The terms of the contract are exceedingly favorable and illustrate the public confidence at home and abroad in the success of the enterprise and the future prosperity of the Republic. Señor Gonzales, with whom the contract is made, represents a syndicate of English capitalists and agrees to complete the construction of all the improvements now in progress at their original estimated cost of $59,000,000, of which $10,000,000 are to be expended on the harbor and $49,000,000 upon the railroads. The Government agrees to issue 6 per cent fifty-year bonds to the amount of $59,000,000, which are to be deposited in London in trust for the syndicate Gonzales represents, until the completion of the entire system of improvements, the time being limited to five years. At the end of this period Gonzales agrees to turn over to the Government the harbor and the railroads fully completed and equipped, and then if an inspection shall show that the terms of the contract have been complied with the bonds are to be handed over by the trustee to the contractor. Interest is to be paid, however, on the full amount from the date of the commencement of the works at the rate of 6 per cent, but it is to be withheld by the trustee as a forfeit until inspection shall show that the amount has been legitimately expended by the contractors. In other words, Gonzales is not to receive his semiannual interest, amounting to $1,750,000, until it is shown that he has expended an equal amount in construction, and in case of any failure to continue the works this interest is to be considered full compensation for work performed.

In addition to the construction of a harbor the Andean Railway, which is to connect Buenos Ayres with Santiago, Chile, is to be completed at an estimated cost of $2,398,000 for construction, $1,000,000 for rolling stock, $600,000 for shops and machinery, $1,000,000 for the expenses of the engineering department. Total, $4,998,000.

The Central Railway is to be completed to the coal mines in the southern part of Chile, at a cost of $6,305,000, with $2,000,000 for rolling stock, and $1,000,000 for shops. Total, $9,305,000.

The Northern Road is to be extended to the Bolivian boundary at a cost of $8,000,000, with $1,000,000 for shops; total, $9,000,000. Branches of this line are to be extended from Chumbica to Catamarca, costing $1,293,000; and from Dean Fuenes to Chilecito, costing $5,000,000, an aggregate expenditure for the Bolivian Line of $15,293,000.

Another line is to be constructed from Tamatirue, to connect with the above, costing $2,500,000.

The Richahuelo enterprise is to be completed at a cost of $13,931,000, and various other smaller works, at an aggregate cost of $4,500,000, which make a grand total of $49,000,000.

When these works are completed Buenos Ayres will have lines of tranportation to the Pacific Ocean and one to Bolivia, which will make that port the entrepôt and shipping point of much of the commerce that now goes from Peru, Chili, and Bolivia on steamships through the Straits of Magellan; and the merchants and producers of the Pacific coast, who are now in the same situation regarding the European market as California and Oregon were before the completion of the transcontinental lines, will have an opportunity to ship by land as well as sea, the transportation distance being shortened from four to six thousand miles, and the time of communication shortened from fifteen to twenty days.

The coal mines of southern Chile, where the only steaming fuel to be had in South America is found, will be brought within three days of Buenos Ayres, and the people of Argentine will be no longer compelled to import coal from Europe. The producers of Bolivia who lost their seaports during the recent war with Chile, and are now practically cut off from the markets of the world, will have a means of outlet by the way of Buenos Ayres, and the development of that country will be stimulated to an enormous degree. Bolivia is full of metal, and has vast ranges

for feeding cattle and sheep; but the mines have been worthless because of the impossibility of getting machinery into the country, all of the interior transportation being done on the backs of llamas, which can not carry more than 125 pounds.

In addition to furnishing means of communication for the Andes and the Pacific ports with the Atlantic, these roads will make the interior of the Argentine Republic accessible, and that country will have as fine a railroad system as Kansas and Texas. The agricultural lands of the Republic are mostly in the northern provinces, which are now beyond the reach of markets, and the opening of these regions will bring in an enormous immigration from the Old World, while the expenditure of such a vast sum of money will tempt laboring men and mechanics to Argentine.

The importance of these enterprises to the United States can not be overestimated. They will not only necessitate the expenditure of many millions of dollars for railway supplies, but the men who are engaged in the work of construction must be fed and clothed with imported merchandise. The development of the country will increase its purchasing power, and the expenditure of nearly $60,000,000 of foreign money within five years will give the country such a boom as it has never before experienced. As this money is to be raised in England, it may be expected that a large part of it will be expended in that country; but the merchants and manufacturers of the United States can underbid those of England on nearly every article that will be required except steel rails, and if they adopt proper means may be able to increase their exports to the Argentine Republic to a large amount, and get a fair share of the permanent commerce which the enterprises will develop.

PARAGUAY.

[Extract from the report of the commission.]

The commerce of Paraguay is small, although rapidly increasing, and at present is absorbed in that of Uruguay and the Argentine Republic, as there are few independent merchants in the country as yet, the trade being controlled by agents of mercantile houses in Montevideo and Buenos Ayres. These cities are the entrepôts for all the exports and imports of Paraguay, where they are transshipped from the river steamers to the ocean vessels.

The total exports and imports for the last five years, as far as the statistics could be secured, were as follows:

Years.	Exports.	Imports.
1880	$1,163,000	$1,030,000
1881	1,928,000	1,204,000
1882	1,650,000	1,368,000
1883	2,012,000	1,722,000
1884	2,216,000	1,900,000

The imports come exclusively from Europe, with the exception of a few agricultural implements, wagons, and a little lumber and kerosene oil from the United States, of a total value scarcely worth mentioning.

Three-fourths of the imports are from England and the other fourth from France and Germany. The principal article imported is manufactured cotton, which forms the wearing apparel of both sexes, and large quantities of white drillings are used, nearly all of which bear trade-marks to deceive the people into the belief that they came from the United States. Mr. Hopkins, who has been in and around Paraguay for forty-five years, and originally went there as an agent of the United States Government, says that the people will not wear anything but American cottons, and the British manufacturers are compelled to deceive them in order to keep the trade.

The goods are the cheapest possible fabrics, being about half starch and pipe clay, but are especially adapted to the needs of the people and answer as well as a better class of drillings.

But it will not be many years before Paraguay will cease to import cottons and become an exporter of them. The plant grows wild with great luxuriance and under cultivation produces a fiber that is claimed to be as good as the best sea-island grades. No serious attempt has yet been made to cultivate the crop, but experiments have tested the adaptability of the soil for the purpose, and a party

of Englishmen propose to introduce machinery and enter upon the business on an extensive scale.

If the resources of Paraguay are equal to what is claimed in this respect, that country will at some future day not far distant become a competitor of the United States; but its limited area leaves no cause for alarm.

FIFTY-FIRST CONGRESS, FIRST SESSION.

February 5, 1890.

[Senate Report No. 227.]

Mr. Sherman, from the Committee on Foreign Relations, submitted the following report:

The Committee on Foreign Relations respectfully report, to be proposed as an amendment to the consular and diplomatic appropriation bill the following:

Envoy extraordinary and minister plenipotentiary to Switzerland, seventy-five hundred dollars.

And in support thereof append the following communications:

DEPARTMENT OF STATE,
Washington, January 14, 1890.

SIR: I have the honor to bring to the attention of the Committee on Foreign Relations the inclosed copy of a dispatch from Mr. Boyd Winchester, late minister resident and consul-general of the United States at Berne, No. 279, of April 8, 1889, presenting considerations in favor of raising the grade of the mission there to that of envoy extraordinary and minister plenipotentiary, and suggesting that this action is demanded alike by reciprocal obligation to a kindred republic and the dignity and efficiency of the service.

The Department urges careful consideration of the views expressed by Mr. Winchester, and would be gratified to see the mission at Berne raised to a plenipotentiary grade with a corresponding increase in the salary of the minister, and provision made for a secretary of legation.

These are measures the adoption of which could not but result advantageously to the public service. The importance of the mission at Berne is well understood, and with the increased grade the office could be more useful through the prominence which would naturally attach to a plenipotentiary mission; and when it is recollected that the Government of Switzerland maintains an envoy extraordinary and minister plenipotentiary at this capital, its highest grade in any foreign country, the necessity for a reciprocal obligation in this respect seems all the more urgent, independent of any other of the many important considerations advanced by Mr. Winchester.

With these observations the subject is confidently left to the judgment of your committee.

I have the honor to be, sir, your obedient servant,

JAMES G. BLAINE.

Hon. JOHN SHERMAN,
Chairman Committee on Foreign Relations, United States Senate.

No. 279.] LEGATION OF THE UNITED STATES,
Berne, April 8, 1889.

SIR: The subject-matter of this dispatch has not failed long since to impress itself, at times and in a way, emphasizing the disadvantage and injustice which constantly confronts the diplomatic agent at this post, but heretofore its discussion has been forbidden by the existence of a personal interest to which its inspiration would be imputed. My letter of recall disposing of any such misinterpretation, I am unwilling to leave this post without putting on file a respectful but most earnest protest against the inferior rank and inadequate compensation accorded it. I do so fully conscious that it is the thrashing out the husks of an exhausted controversy, that it is an old story, the argument of which has been made time and

again and with every manner of illustration and influence, and seems unanswerable except to those who are intrusted to its decision.

There is a proneness on the part of many not merely to underestimate the value of a diplomatic force, but to consider the sending of representatives to foreign countries as a waste of money; that it is an obsolete international vanity, a thing of ceremonies and trivialties, and excuse for inglorious sloth and luxurious loitering, and should be abolished as a useless tax on the country. I shall not stop to show the falsity of this too current opinion, further than the statement of the two safe postulates. First, the nature, necessities, and interests of international relations give rise to concerns which can only be best conducted to satisfactory results through diplomatic agents; it is a definite factor in the political economy of the world, carrying with it, as Mr. Wheaton says, "the force of obligation upon all civilized powers that can not be dispensed with in the mere wantonness of caprice." Indeed, impartially reviewed, history will show our diplomatic service to have been the cheapest and the most efficient arm of the national defense. Second, our diplomatic service is not only an honorable distinction, but the acceptance of a responsible duty to be faithfully discharged, and that it should be maintained in a fashion consonant with our national dignity and our position among the nations.

The post at Berne was established in 1853 as minister resident. In 1876 it was reduced to a chargé d'affaires, and the salary reduced from $7,500 to $5,000, the reduction of grade carrying with it a consequent reduction of salary, and for the additional reason assigned by the Department, "that the condition of the Treasury and of the industries of the country required a reduction of the public expenditures in every branch of the public service." In 1882 the grade was raised from chargé d'affaires to minister resident and consul-general, but the salary remained at $5,000. Since 1882 there has been no change made in the rank or compensation. Whilst the change made in 1882, technically speaking, was a promotion in grade, it is doubtful in fact if it was a desirable change or enhanced the dignity and diplomatic status of the post. The combining in one person of the ministerial powers and the duties of a consul-general is neither wise nor consistent with diplomatic or consular efficiency. Some foreign governments will not recognize the union of consular and diplomatic functions, and all regard it with great disfavor. It is an attempted combination of two dissimilar and incompatible classes of representation, impairing the dignity of the superior rank and the efficiency of both. It makes the minister officially one-half of a person, who is even refused all diplomatic recognition or reception. In one capacity he is simply a man of business, while in the other he is a diplomat. The duties of these respective positions call for entirely different talents and qualifications, and they are rarely found combined in one and the same person.

The phenomenal growth of our commercial and industrial interests invests our consular service, in the minds of many, with a paramount importance, and demands that in filling such posts exclusive regard should be had to the special fitness the work to be done requires—that is, business ability and experience in trade; an exact and practical knowledge of the details; qualities and values of articles shipped from the country where he is located; thoroughly conversant with the general commercial interests of the two countries, and the practical questions of trade. It need not be shown that these qualifications are neither essential nor materially add to the usefulness or influence of a diplomat. No one who has had experience in the service or opportunity for observation can doubt that our representatives should be either consular or diplomatic; that neither class of service can be promoted in its efficiency by an unnecessary disregard for the theories and practice which other governments have found it expedient to preserve; that we should be inspired by a decent respect for their opinions and practice in our intercourse with foreign nations, and that the influence of our agents should not be hazarded by an appearance of singularity not usual in the diplomatic intercourse of governments. Whilst it may be difficult for a person of rational understanding to value these questions of ceremonial rank it is not safe to despise them or practicable to altogether ignore them.

Rank gives the minister a precedence and advantage in the conduct of his business, putting him upon a par with his colleagues and consonant with the dignity of his government. In theory there is no difference of duties, functions, and privileges between an envoy extraordinary and a minister resident, but there is a practical side which presents a marked difference. Diplomatic intercourse, whether social or official, is regulated by well-known laws, they having been formulated by a congress of nations and their observance sustained by a general consensus. For instance, if a minister resident has business with the foreign minister and was the first to arrive at the foreign office and had sent in his card, and an envoy comes in, the minister resident must wait until all those of a higher grade presenting themselves have been heard and served; and in some instances

it has been held, though actually in conversation with the minister of foreign affairs, he should withdraw and wait whenever an ambassador was announced. The youngest envoy, and even the youngest minister resident, ranks above the oldest minister resident and consul-general, and upon all official and social occasions the latter must go to the tail end of the corps. It is a distinction, the consular superaddition that remands him to a lower grade, impairs his efficiency, and weakens his influence in official and unofficial circles. Mr. Monroe, when Secretary of State, said that "the United States in being represented abroad should maintain a proper station there, not assuming, but dignified, such as the general expectation and common opinion of mankind have given them. The character of the country, if not its rank, is, in some degree, affected by that which is maintained by its ministers abroad. Their utility in all the great objects of their mission is essentially dependent on it."

The failure of the United States to express an interest and sympathy toward Switzerland in less than the highest diplomatic agent is a disappointment to the latter that is frequently discussed. Whilst in some European countries many anomalous forms of government have assumed the republican name, it can not be denied that at least in Switzerland republicanism is both properly understood and properly practiced, the oldest and most democratic republic of the Old World, for centuries an example and an inspiration to the lovers of constitutional freedom. Switzerland has a right to depend upon our sympathy, evidenced in every practicable way, as her great shield. After the Prussian-Austrian war, when all Europe was looking for and discussing alliances, the leading and semiofficial paper of Switzerland declared: "Give us the sympathy of the great Republic across the Atlantic and we shall have that which will be of more value than any or all other alliances. Let that great country but say 'touch not our sister Republic' and we may rest assured that we shall be respected."

A State has a right to determine for itself what rank it chooses to confer upon its diplomatic agents; and it is not obliged by any positive law of nations to send or receive any public ministers, but the unwritten law of usage and comity of nations has established a reciprocal duty in this respect, and that ministers of equal rank should be sent and received by those who maintain permanent missions near the government of each other. Lewis Cass in 1859 reported that "the neglect or delay of Switzerland to reciprocate the diplomatic mission which the United States has established in Berne has for some time excited surprise." Since that time Switzerland has established and to-day maintains a diplomatic mission in Washington of the highest grade that she maintains anywhere. In fact, Switzerland's diplomatic service is limited to five envoys. Four of these are accredited, respectively, to France, Germany, Austria, and Italy. The absolute necessity of her diplomatic representation in these States is readily appreciated. The fifth envoy she accredits to the United States, with the same compensation as the other four, 50,000 francs. She has only a consul-general in London.

Upon the adoption of the present Swiss constitution in 1848, Russia withdrew her minister, leaving a secretary of legation acting as chargé d'affaires; Austria was represented in the same way; Prussia by only a chancellor; Great Britain reduced the rank of her agent. These were all considered and felt to be international slights. But it was not long until all the great powers of Europe realized the truth of the words uttered by the French minister in 1859, that "the Federal constitution of Switzerland; the asylum offered by her laws to refugees; her geographical position; her neutrality, which forms a kind of boulevard between the contending countries; the multiplicity and nature of the often very delicate questions arising there, require an agent of an elevated rank; and those powers are all to-day represented in Berne by men of experience and ability." France, heeding the advice of the minister above quoted, and as a fitting compliment to her sister republic, advanced her mission to an embassy, and her agent being the only ambassador accredited to Berne, by virtue of his superior rank he enjoys the prestige of being the doyen of the diplomatic corps, regardless of actual seniority.

With two single exceptions, the United States minister to the Swiss Republic is the only one accredited to her under the rank of an envoy, and even those exceptions are not burdened with the consular addition, and consequently take precedence over one with the hybrid title. The last Congress advanced the missions at the Hague, Stockholm, and Brussels from the rank of minister resident to that of envoy. This was certainly a movement in the right direction, but it must be regretted that Berne was not included. There could not exist any possible argument or consideration in favor of the former that would not apply with equal if not greater force to the latter, not to say anything of the kindred institutions of the two countries, which should prevent any imputation of inferiority or appearance of neglect, such as its omission may be thought to imply. Switzerland sends, as has been said, a minister of the plenipotentiary grade to the United States, and

a just deference to the ordinary rule of etiquette would require that a minister of corresponding title should be sent by us to her; it is both due to ourselves and to the susceptibilities of this ancient and genuine little Republic in the very heart of Europe, with whom it should be our desire to maintain the most marked and friendly intercourse. The fact of Switzerland becoming the seat of the central bureaus of all the international unions so far organized is giving her internationally a peculiar position of honor, distinction, and power, and furnishes additional reason why we should not neglect to retain and increase our influence with her.

Before closing one word must be submitted relating to the compensation at this post. From the date of its establishment in 1853 to 1855 it was $4,500, with a very material addition from the outfit and infit. In 1855 it was increased to $7,500 and remained at this sum for twenty-two years, until 1876, when it was reduced to $5,000, the present salary, and subsequently in 1882 the consulate-general was attached, involving much additional work and rendering the employment of a clerk an absolute necessity, for which at first there was no allowance made, and now only the paltry sum of $480 per annum, leaving the balance to be paid from the minister's meager salary of $5,000. Certainly it is the duty of a great nation like the United States to provide a proper remuneration for its representatives abroad; it should not alone be commensurate with the work done, but should be sufficient to uphold the dignity of the office and secure the incumbent from personal loss. It is all very well to talk about retrenchment and to disregard the "pomp and circumstance" of monarchies in an ardent devotion to republican simplicity, but a certain degree of respect is due to even the prejudices of others.

The United States are the richest employer in the world, and therefore in fixing rates of compensation for those in their service need consider nothing except justice and propriety. Foreign ministers have a position assigned them by the Government to which they are accredited by diplomatic usages and by society and public opinion, from which they can not very widely depart without discomfort to themselves and disadvantage to the Government they represent. They can not live as simply private gentlemen; they must maintain a proper regard for certain well-established ceremonials and social obligations not always inexpensive. These peculiar claims on his purse, though not obligatory, are not to be altogether rejected, for his social position is a very important element in his power to be useful, and he soon finds that the more liberal salaries paid to his colleagues serve as a very useful and urbane adjunct to the courtesies and social obligations inseparable from an efficient and satisfactory position in the service. Our diplomatic service is fast, if not already, reaching the condition predicted by Mr. McLane in his report as Secretary of Treasury in 1831, wherein he states: "The tendency of the low salaries paid our ministers is to throw those high trusts altogether in the hands of the rich, which is certainly not according to the genius of our system."

This legation and consulate-general is without a secretary, though the dual nature of its duties require the maintenance of two practically distinct and separate offices, which for the most part during its history, whilst in the same building, yet on different floors, the one known as the legation and the other as the consulate-general. For many years the consulate-general office has been presided over by Mr. J. E. Hinnen, vice and deputy consul-general, a most competent man, of long experience in the service, and perfectly familiar with all the requirements of his position, an accurate accountant, and most methodical and neat in all clerical work. There is no provision made for his compensation beyond the $480 allowance for clerk hire; therefore he must be paid from the minister's salary, and it may be well to add that this slender salary receives a very insignificant accretion from what is known as notarial service or unofficial fees, the aggregate amount of these since my incumbency, now nearly five years, being only about 5,400 francs, or little over $1,000, an annual average of $250, and this average would be reduced nearly 50 per cent by the deduction of the fees realized from the failure of a realty investment company in the United States handling a large fund from parties residing in this Canton, where claims had to be established under notarial authentication.

The normal average of notarial fees will not exceed $185 per annum, or only little over one-half what the minister must pay from his own pocket for clerk hire each year. These figures in detail are given because there is a very exaggerated idea of the notarial fees received in the consular service, to show that it is not true at least as to this post. Again, the vice and deputy consul-general, who may be regarded as a secretary in the sense of doing the clerical work, but of course technically he is not a secretary, for he can in no event exercise diplomatic functions or receive diplomatic recognition. Therefore when the minister quits his post under leave of absence he is constrained to close his office, or the diplomatic half of it, leaving only the consular half in charge of the vice and deputy consul-general. This of itself constitutes a serious and at times very inconvenient inter-

ruption to the continuity of the diplomatic representation. Every legation in the service should have a permanent secretaryship attached, with a fair compensation, and not make a tax on the already inadequate salary of the minister.

In writing this dispatch I have simply performed a duty my experience and observation constrain.

Your obedient servant,

BOYD WINCHESTER.

Hon. JAMES G. BLAINE,
Secretary of State.

FIFTY-FIRST CONGRESS, SECOND SESSION.

February 4, 1891.

[Senate Report No. 2129.]

Mr. Sherman, from the Committee on Foreign Relations, submitted the following report:

The Committee on Foreign Relations, to whom was referred the bill (S. 4965) for the relief of Patrick J. Murphy, submit the following report:

Patrick J. Murphy came to this country from Ireland in 1865 at the age of 20. He resided two years in Massachusetts, and since then has been a resident of Washington. He studied and taught in Georgetown College about five years, and in 1871 became a resident student in Columbia Hospital, and after graduating in medicine became assistant surgeon therein. In 1878 he was appointed surgeon in charge of said hospital, and upon his resignation of that position recently, purchased a house in Washington for a residence, when he for the first time became aware of the law of March 3, 1887, disqualifying aliens from holding real estate in the District of Columbia. His intention has always been to remain permanently in this country, and he has always regarded himself as virtually an American citizen, but has neglected to become so by legal naturalization. He has now declared his intention to become a citizen of the United States. The bill provides that the forfeiture incurred by force of the act of March, 1887, be repealed.

Your committee are of the opinion that the case is meritorious, and they recommend the passage of the bill.

HAWAIIAN ISLANDS.

HAWAIIAN ISLANDS.

[See p. 189, Vol. VII.]

FIFTY-THIRD CONGRESS, SECOND SESSION.

February 26, 1894.

[Senate Report No. 227.]

Mr. Morgan submitted the following report from the Committee on Foreign Relations:

The following resolution of the Senate defines the limits of the authority of the committee in the investigation and report it is required to make:

"*Resolved*, That the Committee on Foreign Relations shall inquire and report whether any, and, if so, what irregularities have occurred in the diplomatic or other intercourse between the United States and Hawaii in relation to the recent political revolution in Hawaii, and to this end said committee is authorized to send for persons and papers and to administer oaths to witnesses."

The witnesses were examined under oath when it was possible to secure their appearance before the committee, though in some instances affidavits were taken in Hawaii and other places, and papers of a scientific and historic character will be appended to this report and presented to the Senate for its consideration.

The committee did not call the Secretary of State, or any person connected with the Hawaiian Legation, to give testimony. It was not thought to be proper to question the diplomatic authorities of either government on matters that are, or have been, the subject of negotiation between them, and no power exists to authorize the examination of the minister of a foreign government in any proceeding without his consent.

The resolutions include an inquiry only into the intercourse between the two governments, and regard the conduct of the officers of the United States as a matter for domestic consideration in which Hawaii is not concerned, unless it be that their conduct had some unjust and improper influence upon the action of the people or Government of that country in relation to the revolution.

The future policy of the two governments as to annexation, or in respect of any other matter, is excluded by the resolutions from the consideration of the committee, and such matters are alluded to only as being incidental to the investigation which was ordered by the Senate.

The inquiry as to irregularities that may have occurred in our diplomatic or other intercourse with Hawaii must relate, first, to the conduct of the Government as shown in its official acts and correspondence; and, second, the conduct of its civil and military officers while they were engaged in the discharge of their public duties and functions.

As a Government dealing with Hawaii and with any form of government in that country, whether *de facto* or *de jure*, the United States can have no separation or break in its line of policy corresponding to

any change in the incumbency of the office of President. It is in all respects as much the same Government in every right and responsibility as if it had been under the same President during the entire period covered by the recent revolution in Hawaii and the succeeding events.

This view of the situation will enable us to examine more dispassionately the conduct of our Government, and to ascertain whether it has been such that it can be safely drawn into precedent in any future questions that may arise in our intercourse with this or other American governments.

The right of the President of the United States to change his opinions and conduct respecting a course of diplomatic correspondence with a foreign government is no more to be questioned than his right to institute such correspondence; and it can not be assumed that the opinions of one President, differing from those of his predecessor, has any other effect upon the attitude of the Government than would follow a change of opinion in the mind of the same person if there had been no change in the incumbency of the office. This is a view of the situation in which all foreign nations may have an interest, under the usages of independent powers and the international laws. But the question now under consideration is regarded as being peculiar to what we may term the American system. It may be true that Hawaii can not be considered as a separate and independent power in respect of all its relations with the United States, yet the acts of successive Presidents of the United States which affect it must be regarded as the acts of one President. But there are many good reasons and a long and consistent course of dealing between the United States and Hawaii that materially affect, if they do not entirely change, the actual relations between Hawaii and the United States and make them exceptional. When we claim the right to interfere in the domestic affairs of Hawaii, as we would not interfere with those of a European nation, we must also admit her right to whatever advantages there may be in the closeness and interdependence of our relations, and her right to question us as to any conflicts of policy between Mr. Harrison and Mr. Cleveland that may be justly said to work a disadvantage to the interests of Hawaii, if there are any.

And another principle which does not apply in our dealings with European powers comes into application in this case to influence the rights of Hawaii in her intercourse with the United States.

Hawaii is an American state, and is embraced in the American commercial and military system. This fact has been frequently and firmly stated by our Government, and is the ground on which is rested that peculiar and far-reaching declaration so often and so earnestly made, that the United States will not admit the right of any foreign government to acquire any interest or control in the Hawaiian Islands that is in any way prejudicial or even threatening toward the interests of the United States or her people. This is at least a moral suzerainty over Hawaii. In this attitude of the two Governments, Hawaii must be entitled to demand of the United States an indulgent consideration, if not an active sympathy, when she is endeavoring to accomplish what every other American state has achieved—the release of her people from the odious antirepublican régimé which denies to the people the right to govern themselves, and subordinates them to the supposed divine right of a monarch, whose title to such divinity originated in the most slavish conditions of pagan barbarity.

The point at which it is alleged that there was a questionable inter-

ference by our minister and our Navy with the affairs of Hawaii was the landing of troops from the ship *Boston* in Honolulu on the 16th day of January, 1893, at 5 o'clock in the afternoon. That ship, on which the minister was a passenger, had been off on a practice cruise at Hilo, a distance of nearly 100 miles, since the 4th day of January. On her return to the harbor a condition of affairs existed in Honolulu which led naturally to the apprehension that violence or civil commotion would ensue, in which the peace and security of American citizens residing in that city would be put in peril, as had been done on three or more separate occasions previously when changes occurred or were about to occur in the government of Hawaii. Whatever we may conclude were the real causes of the situation then present in Honolulu, the fact is that there was a complete paralysis of executive government in Hawaii. The action of the Queen in an effort to overturn the constitution of 1887, to which she had sworn obedience and support, had been accepted and treated by a large and powerful body of the people as a violation of her constitutional obligations, revolutionary in its character and purposes and that it amounted to an act of abdication on her part, so far as her powers and the rights of the people under the constitution of 1887 were concerned. This state of opinion and this condition of the executive head of the Hawaiian Government neutralized its power to protect American citizens and other foreigners in their treaty rights, and also their rights under the laws of Hawaii. There was not in Honolulu at that time any efficient executive power through which the rights of American citizens residing there could be protected in accordance with the local laws. It is evident that the Queen's Government at that time had no power to prevent the landing of troops from any quarter, no power to protect itself against invasion, no power to conduct civil government, so far as the executive was concerned, if the effort to exert such power was antagonized by any opposing body of people in considerable numbers. Indeed, no effort seems to have been made to exert the civil authority except through the presence of a small and inefficient body of policemen. The authority of the Queen was not respected by the people; it was opposed, and no force appeared to be used for the purpose of overcoming the opposition. It yielded to a silent but ominous opposition. Without reference to the question whether, in strict law, the action of the Queen in her effort to overturn the constitution of 1887, and to substitute one by a proclamation which she had prepared, was a revolution in government, or an effort at revolution, or amounted to an actual abdication, the result was that an interregnum existed.

If we give full effect to the contention that this interregnum occurred because of the apprehensions of the Queen that force would be used by the United States to compel her abdication, those apprehensions could not have occurred before the landing of the troops from the *Boston*, or, if they existed, they were idle, unfounded, and unjust toward the United States. It was her conduct, opposed by her people, or a large portion of them, that paralyzed the executive authority and left the citizens of the United States in Honolulu without the protection of any law, unless it was such as should be extended to them by the American minister, in conjunction with the arms of the United States then on board the *Boston*.

It will appear hereafter in this report that there is well-settled authority for the position that at the moment when the Queen made public her decision to absolve herself from her oath to support the constitution of 1887 her abdication was complete, if the people chose so to regard it. That constitution and the Queen's oath to support it was the only

foundation for her regal authority and, when she announced that her oath was annulled in its effect upon her own conscience, she could no longer rightfully hold office under that constitution. In such matters the word of the Queen, once sedately uttered, fixes a condition that is irrevocable, unless by the consent of those whose condition or rights would be injuriously affected by its subsequent withdrawal; as in the case of a voluntary abdication in favor of a named successor; or of a pardon granted to a person accused or convicted of crime; or the signature to a legislative act, or declaration of war. The official act of the chief executive of a nation is uniformly regarded as creating a condition or status which can not be altered or revoked at pleasure. Indeed, in every case, the word of the king that works a change in existing conditions is the final act of the king. In the crime of treason and the misprision of treason, the word that is spoken by the culprit, though quickly repented of or recalled, has completed the crime and placed the offender beyond the reach of all mercy except that of the sovereign power. In this instance the sovereign power to pardon or condone the Queen's offense resided in the people, and they have so far decided and have adhered to the decision that her abdication was complete. The recantation was two days later than the completed crime and was temporary and conditional, and, in the meantime, popular sovereignty had risen to the assertion of its rights, an indignant resentment had aroused the people, and a large body of citizens claiming to represent them had inaugurated a government of the people and for the people. Whether the people opposing the Queen were strengthened in their purpose to accept and act upon this abandonment by the Queen of her obligations to keep her oath to support and obey the constitution by the presence of the troops of the United States, or whether the Queen was dismayed by their presence and was deterred from supporting her criminal act by the employment of her household soldiery, did not alter the fact that she had openly renounced the constitution of 1887 before the troops were landed or any preparation was made or any order was issued to land them, and the people were preparing to substitute the monarchy, which was still existing in the constitution, by a ruler of their own choice before any troops left the *Boston*.

Whether the people would permit the restoration of the Queen, or whether they would constitute a new executive head of the Government of Hawaii, was a matter then undetermined, and as to that the Government of the United States had but one concern, and that was that the interregnum should be ended, the executive head of the Government should be supplied, and the laws of Hawaii and the treaty rights of American citizens should have full effect, peacefully, in the protection of their rights and interests. When the Queen found that her Government was opposed by a strong body of the people she did not attempt to reassemble the Legislature, but left the public safety in charge of a committee of thirteen men, organized by those who were endeavoring to preserve the peace and to restore the Government to its full constitutional powers by choosing an executive head. This condition of things continued from Saturday until the succeeding Tuesday, during all of which time the citizens of the United States residing in Honolulu had no protection of law, except such as was guarantied to them by the presence of the *Boston* in the bay of Honolulu, or the moral influence of the American legation and consulate.

When the Kamehameha dynasty ended, the monarchy in Hawaii was doomed to a necessary dissolution. The five kings of that family, assisted by their premiers, who were Kanaka women, and by such missionaries as Judd, Bingham, Chamberlain, Coan, Goodrich, and Damon

maintained the progress of civilization and prosperity, but when Kalakaua was elected king, the most surprising and disgraceful corruptions infected the Government. Without detailing in this report the constant decline from bad to worse, which the evidence discloses, without contradiction or explanation, when Liliuokalani was enthroned the monarchy was a mere shell and was in condition to crumble on the slightest touch of firm opposition. Under her brief rule, it was kept alive by the care and forbearing tolerance of the conservative white people, who owned $50,000,000 of the property in Hawaii, until they saw that the Queen and her party had determined to grasp absolute power and destroy the constitution and the rights of the white people. When they were compelled to act in self-defense the monarchy disappeared. It required nothing but the determined action of what was called the missionary party to prostrate the monarchy, and that action had been taken before the troops from the *Boston* landed.

There was then no executive head of the Government of Hawaii; it had perished.

In landing the troops from the *Boston* there was no demonstration of actual hostilities, and their conduct was as quiet and as respectful as it had been on many previous occasions when they were landed for the purpose of drill and practice. In passing the palace on their way to the point at which they were halted, the Queen appeared upon the balcony and the troops respectfully saluted her by presenting arms and dipping the flag, and made no demonstration of any hostile intent. Her attitude at that time was that of helplessness, because she found no active or courageous support in her isolated position, which was self-imposed and was regretted by few of her former subjects. In this condition of Hawaii the laws for the protection of life and property were, in fact, suspended so far as the executive power was concerned, and the citizens of the United States in Honolulu and all the islands, and their property rights, were virtually outlawed. The citizens of Honolulu were not held amenable to the civil authorities, but were treated by the Queen, as well as by the people, as if the country was in a state of war. A policeman was shot down on the streets by a person who was conducting a wagon loaded with arms to the place of rendezvous where the people had assembled, and no action was taken for the purpose of arresting or putting on trial the man who did the shooting.

In a country where there is no power of the law to protect the citizens of the United States there can be no law of nations nor any rule of comity that can rightfully prevent our flag from giving shelter to them under the protection of our arms, and this without reference to any distress it may give to the Queen who generated the confusion, or any advantage it might give to the people who are disputing her right to resume or to hold her regal powers. In every country where there is no effective chief executive authority, whether it is a newly-discovered island where only savage government prevails, or one where the government is paralyzed by internal feuds, it is the right, claimed and exercised by all civilized nations, to enter such a country with sovereign authority to assert and protect the rights of its citizens and their property, and to remain there without the invitation of anybody until civil government shall have been established that is adequate, in a satisfactory sense, for their protection.

The committee agree that such was the condition of the Hawaiian Government at the time that the troops were landed in Honolulu from the steam warship *Boston*; that there was then an interregnum in Hawaii as respects the executive office; that there was no executive power to enforce the laws of Hawaii, and that it was the right of the

United States to land troops upon those islands at any place where it was necessary in the opinion of our minister to protect our citizens.

In what occurred in landing the troops at Honolulu there may have been an invasion, but it was not an act of war, nor did it create that condition of the public law in Hawaii.

In the period of reconstruction, as it is called, which followed the civil war of 1861–'65 in the United States, a very similar condition existed, or was assumed to exist, which caused Congress to provide for vacating the gubernatorial offices in several of the Southern States and filling them by appointments of the President.

In these States strong military bodies were stationed and general officers of the Army took command and enforced the laws found on their statute books and also the laws of the United States. All the civil officers in those sovereign States were required to obey the commands of those Army officers, and they did so, often under protest, but with entire submission to the military power and authority of the President, exerted through the instrumentality of the Army. That was not war. Yet it was the presence of military force, employed actively in the enforcement of the civil laws, and in full supremacy over the civil authority.

The only reason that could justify this invasion of sovereign states by the armies of the United States was the declaration by Congress that the executive governments in those states were not in the lawful possession of the incumbents; that there was an interregnum in those states as to the office of governor.

If the Queen, or the people, or both acting in conjunction, had opposed the landing of the troops from the *Boston* with armed resistance, their invasion would have been an act of war. But when their landing was not opposed by any objection, protest, or resistance the state of war did not supervene, and there was no irregularity or want of authority to place the troops on shore.

In this view of the facts there is no necessity for inquiring whether Minister Stevens or Capt. Wiltse, in arranging for the landing of the troops, had any purpose either to aid the popular movement against the Queen that was then taking a definite and decisive shape, or to promote the annexation of the Hawaiian Islands to the United States. But justice to these gentlemen requires that we should say that the troops from the *Boston* were not sent into Honolulu for any other purpose than that set forth fully and fairly in the following order from Capt. Wiltse to the officer in command of the detachment:

U. S. S. BOSTON (SECOND RATE),
Honolulu, Hawaiian Islands, January 16, 1893.

Lieut. Commander W. T. SWINBURNE, U. S. Navy,
Executive Officer, U. S. S. Boston:

SIR: You will take command of the battalion and land in Honolulu for the purpose of protecting our legation, consulate, and the lives and property of American citizens, and to assist in preserving public order.

Great prudence must be exercised by both officers and men, and no action taken that is not fully warranted by the condition of affairs and by the conduct of those who may be inimical to the treaty rights of American citizens.

You will inform me at the earliest practicable moment of any change in the situation.

Very respectfully,

G. C. WILTSE,
Captain, U. S. Navy, Commanding U. S. S. Boston.

As between the United States and Hawaii, as separate and independent governments, that order defines the full liability of the Government of the United States in respect of landing the troops at Honolulu. As between the Government of the United States and its officers, the question may arise whether that order was issued in good faith and for the purposes declared upon its face, or whether it was a pretext used for the purpose of assisting in the overthrow of the Queen's Government and the ultimate annexation of Hawaii to the United States.

In reference to this last suggestion, the committee, upon the evidence as it appears in their report (which they believe is a full, fair, and impartial statement of the facts attending and precedent to the landing of the troops), agree that the purposes of Capt. Wiltse and of Minister Stevens were only those which were legitimate, viz, the preservation of law and order to the extent of preventing a disturbance of the public peace which might, in the absence of the troops, injuriously affect the rights of the American citizens resident in Honolulu.

The troops from the *Boston* having rightfully and lawfully entered Honolulu, and having carried with them the protection of the laws of the United States for their citizens who otherwise were left without the protection of law, it was the right of the United States that they should remain there until a competent chief executive of Hawaii should have been installed in authority to take upon himself the civil power and to execute the necessary authority to provide for the protection of all the rights of citizens of the United States then in Honolulu, whether such rights were secured by treaty or were due to them under the laws of Hawaii. It was the further right of the officers representing the United States in Hawaii to remain there with the troops until all the conditions were present to give full assurance of security to the rights of all the citizens of the United States then in Honolulu.

Before the landing of the troops a committee of safety had been organized that sent a request to the commander of the *Boston* that troops should be landed for the purpose of preserving the public peace. To this request no response was made, and later in the day the commander of the *Boston* was informed that the committee of safety had withdrawn its request and then desired that no troops should be landed. But, disregarding all the action of the committee of safety and acting only upon his sense of duty to the people of the United States who were in Honolulu, Capt. Wiltse came to the conclusion that the troops should be landed, and he put them in a state of preparation for that purpose by lowering the boats, filling the cartridge belts of the men, and supplying them with proper accouterments for a stay on shore. After these preparations had been completed Minister Stevens went on board the ship (on Monday), and had an interview with Capt. Wiltse. The evidence shows that this interview related alone to the question of the preservation of law and order in Hawaii and the protection of Americans in their treaty rights. It seems that neither Minister Stevens nor Capt. Wiltse then fully comprehended the fact that the United States had the right, of its own authority, to send the troops on shore for the purpose of supplying to American citizens resident there the protection of law, which had been withdrawn or annulled, because of the fact that there was then an interregnum in the executive department of the Government of Hawaii. The rights of the United States at that moment were greater than they were supposed to be by Minister Stevens or Capt. Wiltse, and they were not the result of treaty rights or obligations, but of that unfailing right to give protection to citizens of the

United States in any country where they may be found when the local authorities have, through their own mismanagement or contrivance, rendered nugatory the power of the government to perform its proper duties in the protection of their lives, property, and peace.

A further statement of ascertained facts may be necessary in order to bring out more clearly the situation in Hawaii on Saturday, the 14th day of January, and to render more conspicuous the justification of the United States in entering with its troops upon the soil of Hawaii for the protection of all the rights of its citizens.

On Saturday afternoon and Sunday earnest and decisive steps were being taken by the people of Honolulu who were most prominent in social influence and in commerce and the professions to arm the people who resented the disloyalty of the Queen to the constitution and to install a new executive head of the Government. This movement had resulted in the organization of a committee of safety that proposed a programme for the purpose of inaugurating a provisional government. This was an open, public movement, which the Queen took no steps to suppress. No arrests were made, and even the apprehension of arrests seems to have been almost entirely absent from the minds of the people engaged in this movement. An effort was made to divert those people from their purpose, on Monday morning, by the Queen and her ministers, who caused the following notice to be posted on the streets of Honolulu:

"BY AUTHORITY.

"Her Majesty's ministers desire to express their appreciation for the quiet and order which have prevailed in this community since the events of Saturday, and are authorized to say that the position taken by Her Majesty in regard to the promulgation of a new constitution was under the stress of her native subjects.

"Authority is given for the assurance that any changes desired in the fundamental law of the land will be sought only by the methods provided in the constitution itself.

"Her Majesty's ministers request all citizens to accept the assurance of Her Majesty in the same spirit in which it is given."

This paper purported to be signed by the Queen and her ministers, Samuel Parker, minister of foreign affairs; W. H. Cornwell, minister of finance; John F. Colburn, minster of the interior; and A. P. Peterson, attorney-general.

The Queen did not sign it in her official character by affixing the letter R to her name, and the tenor of the paper indicates that it was, in fact, the act of her ministers, to which she had not given her royal assent and pledge. This paper in itself contains undeniable evidence that the Queen had instituted a *coup d'état* on Saturday by the promulgation of "a new constitution," as far, at least, as she could bind herself by such an act, and that she offered the excuse for this revolt against the existing constitution which she had sworn to support, that she acted "under stress of her native subjects."

Passing by the fact that the existence of this "stress" is not established by any satisfactory evidence, the reference to it in this proclamation discloses her willing connection with the purpose to disfranchise her foreign-born subjects, that being the effect of the provisions of the "new constitution" that she in fact promulgated, so far as she could, but hesitated to swear to for the want of sufficient support from "her native subjects." The assurance given that future efforts "to change"

the constitution of 1887 should be conducted only in the method therein prescribed, was no assurance that her foreign-born subjects should be protected in their vital liberties. To the reverse, it was a continuing threat that they should be disfranchised and placed at the mercy of racial aggression, backed by the power of the crown. The declarations of the Queen made in person to Minister Willis, on three occasions, and at long intervals of time after the lapse of nine months of sedate reflection, show that this assurance, given in fact by her ministers, was only a thin disguise of her real purpose to drive out the white population and confiscate their property, and, if need be, to destroy their lives. The people made no mistake as to her animosity toward them, and proceeded in the same orderly manner, for which the ministers gave them thanks in this proclamation, to designate an executive head of the Government in place of the abdicated Queen, the abdication being completed and confirmed by the only authentic expression of the popular will, and by the recognition of the supreme court of Hawaii.

Another fact of importance connected with the situation at that time is that a committee of law and order, consisting of supporters of the Queen, had on Monday morning posted in public places in Honolulu the following call for a public meeting and explanation of the purposes of the Queen in abrogating the constitution of 1887 and in substituting one which she desired and attempted to promulgate by their authority as the organic law of the land. This proclamation was printed in the Hawaiian language, and a translation of it is appended to this report. It was printed in an extra edition of a newspaper called the Ka Leo O Ka Lahui, published in Honolulu in the Hawaiian language. "The stress of her native subjects," which is mentioned by the Queen in the proclamation which was posted in English on the morning of January 16, is evidently expressed in the terms of this announcement and call, and it shows that it was based upon racial distinction and prejudice entirely, and indicates the feeling of resentment and controversy which, if carried into effect as the Queen proposed to carry it into effect under the constitution which she intended to proclaim, would have resulted in the destruction of the rights of property and lives of those persons who were styled "missionaries" and their posterity, from whom Hawaii had derived her enlightened civilization, Christianity, constitution, laws, progress, wealth and position amongst the nations of the earth. This was a threat of dangerous significance, and it shows the spirit of the controversy that was then pervading the minds of the people of Honolulu, and illustrates how easy it was to foment strife that would result in the worst of evils, in a community thus divided and thus excited. The abuse of the missionaries and missionary party in this call shows that the Queen and her immediate followers had concentrated their efforts upon the disfranchisement of all white people in Hawaii, and the return of the Government to that condition of debasement from which these very people and their fathers had relieved it.

The second paragraph in this call is as follows:

"THE VOICE OF THE CHIEF.

"On the afternoon of Saturday last the voice of the Sacred Chief of Hawaii, Liliuokalani, the tabued one, speaking as follows:

"'O, ye people who love the Chief, I hereby say to you, I am now ready to proclaim the new constitution for my Kingdom, thinking that it would be successful, but behold obstacles have arisen! Therefore

I say unto you, loving people, go with good hope and do not be disturbed or troubled in your minds. Because, within the next few days now coming, I will proclaim the new constitution.

"'The executive officers of the law (the cabinet) knew the errors in this new constitution, but they said nothing.

"'Therefore, I hope that the thing which you, my people, so much want will be accomplished; it also is my strong desire.'"

Here is a direct accusation by the Queen against her cabinet, all of whom, with one exception, were white men, that they had misled her as to the effect of the constitution, and had failed to point out errors in it which, as a pretext, led to its rejection by them, causing them to refuse at the last moment to join with her in its promulgation. This call was, in fact, a new promise which was made by the Queen, with the evident consent of her immediate native followers, that within the next few days now coming she would proclaim the new constitution, notwithstanding her failure to give it a successful promulgation on the preceding Saturday. The intensity of the Queen's opposition to the missionaries and the white people was caused by her intention that the Kingdom should return to its former absolute character, and that the best results of civilization in Hawaii should be obliterated.

Civilization and constitutional government in Hawaii are the foster children of the American Christian missionaries. It can not be justly charged to the men and women who inaugurated this era of humanity, light, and justice in those islands that either they or their posterity or their followers, whether native or foreign, have faltered in their devotion to their exalted purposes. They have not pursued any devious course in their conduct, nor have they done any wrong or harm to the Hawaiian people or their native rulers. They have not betrayed any trust confided to them, nor have they encouraged any vice or pandered to any degrading sentiment or practice among those people. Among the native Hawaiians, where they found paganism in the most abhorrent forms of idolatry, debauchery, disease, ignorance and cruelty 75 years ago, they planted and established, with the free consent and eager encouragement of those natives and without the shedding of blood, the Christian ordinance of marriage, supplanting polygamy; a reverence for the character of women and a respect for their rights; the Christian Sabbath and freedom of religious faith and worship, as foundations of society and of the state; universal education, including the kings and the peasantry; temperance in place of the orgies of drunkenness that were all-pervading; and the separate holdings of lands upon which the people built their homes. In doing these benevolent works the American missionary did not attempt to assume the powers and functions of political government. As education, enlightenment, and the evident benefits of civilization revealed to those in authority the necessity of wise and faithful counsels in building up and regulating the government to meet those new conditions, the kings invited some of the best qualified and most trusted of these worthy men to aid them in developing and conducting the civil government. As a predicate for this work they freely consented to and even suggested the giving up of some of their absolute powers and to place others under the constraint of constitutional limitations. They created an advisory council and a legislature and converted Hawaii from an absolute despotism into a land of law. The cabinet ministers thus chosen from the missionary element were retained in office during very long periods, thus establishing the confidence of the kings and the people in their integrity,

wisdom, and loyalty to the Government. No charge of defection or dishonesty was ever made against any of these public servants during the reign of the Kamehamehas, nor indeed at any time. They acquired property in moderate values by honest means, and labored to exhibit to the people the advantages of industry, frugality, economy, and thrift.

The progressive elevation of the country and of the people from the very depravity of paganism into an enlightened and educated commonwealth and the growth of their industries and wealth will be seen at a glance in the statements of the most important events and in the tables showing the most important results of their work and influence, which are set forth in the evidence accompanying this report. This array of undisputed facts shows that, with Christianity and education as the basis, there has come over Hawaii the most rapid and successful improvement in political, industrial, and commercial conditions that has marked the course of any people in Christendom.

In the message of President Tyler to Congress he says:

"The condition of those islands has excited a good deal of interest, which is increasing by every successive proof that their inhabitants are making progress in civilization and becoming more and more competent to maintain regular and orderly government. They lie in the Pacific Ocean, much nearer to this continent than the other, and have become an important place for the refitment and provisioning of American and European vessels.

"'Owing to their locality and to the course of the winds which prevail in this quarter of the world the Sandwich Islands are the stopping place for almost all vessels passing from continent to continent across the Pacific Ocean. They are especially resorted to by the great numbers of vessels of the United States which are engaged in the whale fishery in those seas. The number of vessels of all sorts and the amount of property owned by citizens of the United States which are found in those islands in the course of a year are stated probably with sufficient accuracy in the letter of the agents.

"'Just emerging from a state of barbarism, the Government of the islands is as yet feeble; but its dispositions appear to be just and pacific, and it seems anxious to improve the condition of its people by the introduction of knowledge, of religious and moral institutions, means of education, and the arts of civilized life.'"

In the House of Representatives this subject was referred to the Committee on Foreign Affairs, and Hon. John Q. Adams, in concluding his report upon the subject, says:

"It is a subject of cheering contemplation to the friends of human improvement and virtue that, by the mild and gentle influence of Christian charity, dispensed by humble missionaries of the gospel, unarmed with secular power, within the last quarter of a century the people of this group of islands have been converted from the lowest debasement of idolatry to the blessings of the Christian gospel; united under one balanced government; rallied to the fold of civilization by a written language and constitution, providing security for the rights of persons, property, and mind, and invested with all the elements of right and power which can entitle them to be acknowledged by their brethren of the human race as a separate and independent community. To the consummation of their acknowledgment the people of the North

American Union are urged by an interest of their own deeper than that of any other portion of the inhabitants of the earth—by a virtual right of conquest, not over the freedom of their brother man by the brutal arm of physical power, but over the mind and heart by the celestial panoply of the gospel of peace and love."

It can not be other than a proud reflection of the American people that the free institutions of the United States gave origin and impulsive zeal, as well as guidance, to the good men who laid these foundations of civil government in Hawaii upon written constitutions, supported by the oaths of those in authority and loyally sustained by those of the people who are virtuous and intelligent. Nor can the American people condemn the firm adhesion of those whose rights are guaranteed by constitutional law in Hawaii to the demand that is now made for the maintenance of its permanent integrity. If nothing but a decent respect for our national example was in question, if there was no question in Hawaii that concerned the people of the United States except that of a relapse of that Government into absolute monarchy, if there was no degradation of society involved in this falling away, no destruction of property and liberty in contemplation, there would still be enough in the conditions now presented there to excite the most anxious interest of our people. Citizens of the United States with wisdom, charity, Christian faith, and a love of constitutional government, have patiently, laboriously, and honestly built up Hawaii into a civilized power under a written constitution, and they can justly claim the sympathy and assistance of all civilized people in resisting its destruction, either to gratify a wanton lust of absolute power on the part of the Queen, or the abuse of its authority in fostering vice and rewarding crime. The facts of recent history present broadly and distinctly the question between an absolute and corrupt monarchy in Hawaii, and a government in which the rights and liberties guaranteed by a written constitution shall be respected and preserved. The facts do not show that the people who built up this constitutional system and have based upon it wholesome laws and a well balanced and well guarded plan of administration have had any desire to abrogate the organic laws, corrupt the statute laws, or to dethrone the Queen. In every phase of their dealings with these questions their course has been conservative, and the defense of their lives, liberty, and property, and the honest administration of the government has been the real motive of their actions. They are not, therefore, to be justly classed as conspirators against the Government. That they turn their thoughts toward the United States and desire annexation to this country could not be denied without imputing to them the loss of the sentiment of love and reverence for this Republic that is utterly unknown to our people.

On Monday, the 16th of January, 1893, Hawaii was passing through the severe ordeal of a trial which was conducted by the people who arrayed themselves on the side of the Queen and those who were organized in opposition to her revolutionary purposes. The Queen seems to have abandoned the controversy into the hands of the people, and made no effort to suppress the meeting of the citizens opposed to her revolutionary proceedings by calling out her troops to disperse the meeting or to arrest its leaders. Both the meetings were quiet and orderly, but the meeting at the arsenal was intensely earnest, and men were heard to express their opinions freely and without interruption at both meetings, and they came to their resolutions without disturbance. When

these meetings dispersed, the Queen's effort to reject the constitution of 1887 had been approved by the one meeting held on the palace grounds and composed almost entirely of native Kanakas; the other meeting had resolved to establish a provisional government, and formed a committee to proceed with its organization. The Queen, though thus strongly indorsed by her native-born subjects, as she calls them, did not venture any arrests of the alleged revolutionists, but, evidently conscious that the revolution which she had endeavored to set on foot had failed of efficient support, she did not use her troops or the police or any other power in the direction of asserting her royal authority. The meeting of the people at the arsenal was followed by organization, the arming of the citizens, the strong array of forces, and a determined spirit of success which has materialized into an established government that has continued to exist for more than a year, practically without any opposition in Hawaii, and with the recognition of many great powers, including the United States. These events show, beyond reasonable dispute, the acceptance by the people of Hawaii of the judgment and determination of the meeting at the arsenal that the Queen had abdicated, that her authority had departed, that she and her ministers had submitted to the inevitable, and that they retained no longer any substantial ground of hope or expectation that the Queen would be restored to her former office.

The question whether such a state of affairs as is shown by the undisputed facts in this case constitute an abdication and created an interregnum was passed upon in England with more care, because of the serious results that followed the decision, than seems to have been bestowed upon a like controversy in any other country.

The people of Great Britain have many liberties that are firmly established in the traditions of that country, and on many occasions they have asserted their rights, as the basis of governmental power, with great determination and success. In 1688, when James II was on the throne, his severe conduct, exercised through the judiciary of the Kingdom and in other ways, and a strong adhesion to the Catholic religion, caused the people of Great Britain to accuse him of an intention to violate their unwritten constitution. He was a great and powerful king, and had accomplished very much for the glory and honor of England. But the people of England held him to an observance of the spirit of his oath of loyalty to the constitution of that country, and, when they became satisfied that he had made an effort to subvert it, they in their Parliament passed upon the question of his abdication and held that his intention and effort to violate the constitution robbed him of his title to the crown and opened the door to the establishment of a new dynasty. Blackstone, in speaking of these events, says:

"King James II succeeded to the throne of his ancestors, and might have enjoyed it during the remainder of his life but for his own infatuated conduct which, with other concurring circumstances, brought on the revolution in 1688.

"The true ground and principle upon which that memorable event proceeded was an entirely new case in politics, which had never before happened in our history—the abdication of the reigning monarch and the vacancy of the throne thereupon. It was not a defeasance of the right of succession and a new limitation of the crown by the King and both Houses of Parliament; it was the act of the nation alone upon the conviction that there was no king in being. For, in a full assembly of the lords and commons, met in a convention upon the

supposition of this vacancy, both houses came to this resolution: 'That King James II, having endeavored to subvert the constitution of the Kingdom by breaking the original contract between King and people; and, by the advice of Jesuits and other wicked persons, having violated the fundamental law and having withdrawn himself out of this Kingdom has abdicated the Government, and that the throne is hereby vacant.'"

Proceeding further, this eminent jurist says:

"For whenever a question arises between the society at large and any magistrate vested with powers originally delegated by that society it must be decided by the voice of the society itself; there is not upon earth any other tribunal to resort to. And that these consequences were fairly deduced from these facts our ancestors have solemnly determined in a full parliamentary convention representing the whole society."

Further quoting from Blackstone, he says:

"They held that this misconduct of King James amounted to an endeavor to subvert the constitution and not to an actual subversion or total dissolution of the Government, according to the principles of Mr. Locke, which would have reduced the society almost to a state of nature; would have leveled all distinctions of honor, rank, offices, and property; would have annihilated the sovereign power, and in consequence have repealed all positive laws, and would have left the people at liberty to have erected a new system of State upon a new foundation of polity. They therefore very prudently voted it to amount to no more than an abdication of the Government and a consequent vacancy of the throne, whereby the Government was allowed to subsist though the executive magistrate was gone, and the kingly office to remain though King James was no longer King. And thus the constitution was kept entire, which upon every sound principle of government must otherwise have fallen to pieces had so principal and constituent a part as the royal authority been abolished or even suspended.

"This single postulatum, the vacancy of the throne, being once established the rest that was then done followed almost of course. For, if the throne be at any time vacant (which may happen by other means besides that of abdication, as if all the blood-royal should fail, without any successor appointed by Parliament)—if, I say, a vacancy, by any means whatsoever, should happen, the right of disposing of this vacancy seems naturally to result to the Lords and Commons, the trustees and representatives of the nation. For there are no other hands in which it can so properly be intrusted; and there is a necessity of its being intrusted somewhere, else the whole frame of government must be dissolved and perish."

The principle on which this decision in regard to the abdication of King James II rests is still stronger when it is applied to persons who are citizens of the United States but who reside in Hawaii, and by the constitution and laws of Hawaii are admitted into an active participation in the conduct of government, both as officeholders and as qualified electors. If they, in connection with the native or naturalized subjects of the Kingdom of Hawaii, unite in demanding the preservation of their constitutional rights, there should be no captious or

technical objections taken to the assertion of that right, or to the manner of its exercise.

In reference to all citizens of the United States residing in Hawaii and not actual members or officers of that Government, the spirit of our laws, in accordance with the principles of the Constitution and the traditions of the people, should be applied to their protection, when it is the duty of the United States to protect them, and especially are they entitled to the full advantage of the protection that is afforded under that doctrine of personal liberty and security which upholds the authority of governments *de facto*. When such a government arises out of alleged abuses and grievances and is set up in good faith by the intelligent classes to succeed a monarchy in a state that is the only monarchy in a sisterhood of many republics, the rules governing its recognition are not those that seem to control in cases where the state is a sole republic surrounded by an environment of monarchies.

In Europe, where governmental successions have no relation to the will of the people, every presumption that can be made to support the regal system is adopted and enforced with rigid care. The old conditions are presumed to exist in a regal government until the new government has accomplished a complete revolution and until nothing remains to be done to secure an uninterrupted and unembarrassed installation of its authority. Those presumptions are all in favor of the crown and are easily applied in practical use, as the crown is a political unit and acts with certainty in the assertion of its claims. When the rights asserted against the crown are set up by the people, or for the people, the act is necessarily a representative act, and the authority of the alleged representative is severely questioned. Indeed, it is not considered as existing in European countries until, through bloodshed or an overwhelming exhibition of forces, its acknowledgment is literally compelled. The reverse of this rule should obtain in that part of the world where it is held, universally, that the right to govern depends upon the consent of the governed and not upon a divine inheritance of power. In a controversy like that in Hawaii the presumption is in favor of those who unite to assert the constitutional rights of the people, that they are acting in good faith, and that they are not seeking personal aggrandizement, but the good of the people. When such a popular movement engages the evident support of those whom the people have trusted for their integrity to an extent that inspires a just confidence of success a sufficient foundation exists, at least, for a government *de facto;* and it is no more necessary to its validity that every possible obstacle to its final success has been removed than it would be necessary, on the other hand, to the permanency of the crown that every rebellious subject of the Queen had been slain or banished and their estates had been confiscated.

The supporters of Liliuokalani seem to be forced into the attitude of claiming that it is of no consequence that she may have forfeited her right to the crown and had placed it in the power of the people lawfully to claim that this was an abdication, unless the people had overcome and removed every vestige of her power before they proclaimed the Provisional Government. Her known purpose to press the absolute powers claimed by her in the new constitution to the extent of the banishment or death of the white population seems not to be permitted to excuse the action of the people in displacing her, if they had not captured her small force of policemen and soldiers before the American minister had recognized the Provisional Government.

Liliuokalani did not seem to take this narrow view of the revolution she had inaugurated.

The banishment or death of the white people and the confiscation of their estates was the final decree recorded in the Queen's heart and mind, as she freely stated to Minister Willis, and until this cruel work had been accomplished she held that her policy of revolution would be a failure. There is some ground for hope that these were not her sincere purposes or wishes but that in giving expression to them she was "playing a part." As opposed to such purposes, or to a Queen who could imagine them in the presence of the constitutional protection given to the rights and liberties of the people throughout this hemisphere, Americans should not hesitate in the support of a government *de facto*, set up to oppose her, because she had not made a formal surrender of a place where a few soldiers and policemen had been stationed, who were powerless to hold it against the people then under arms. It was an act of mercy to her and her retainers that they were not forced into the commission of acts of violence. An interregnum existed in the executive Government of Hawaii, which was caused by the effort of the Queen to destroy the constitution of 1887, and by the act of the people in accepting her will for the completed *coup d'état*, and, in making that the occasion for supplying the executive department of the Government with a chief.

A careful investigation has failed to show that any conspiracy now exists that is directed to the virtual displacement of the Provisional Government. The personal efforts of the Queen seem to have been directed toward a provision for a safe and comfortable life, free from the anxieties of office and "the stress of her native subjects." Her power of attorney to Paul Newman and his mission to the United States indicate a reliance on the "arts of peace" rather than of war for indemnity for the past and security for the future. The opinions, or sentiments, expressed by her in the three interviews she had with Mr. Willis, in which she uttered the severest denunciations against the white race in Hawaii, and declared her willingness, if not her purpose, to confiscate their estates and to banish or to destroy them, while they are a seeming expression of the lofty indignation of an offended ruler, are so unsuited to the character of a queen crowned by a Christian and civilized people, and so out of keeping with her character as a woman who had received kindly recognition and personal regard from other good and refined ladies, that they shock all right-minded people in Christendom. The Government of the United States should willingly forbear to regard these utterances as her official expression of such designs upon the lives and liberties of those whom she would find in her power, upon her restoration to the throne, and accept them as a means adopted by her to convince Mr. Willis that her restoration to the throne was impossible, and was not in accordance with her wishes.

The President, on the first intimation of these harsh declarations of the Queen, at once laid them before Congress, and abandoned the further exercise of his good offices to bring about a reconciliation between her and those who were conducting and supporting the Provisional Government.

Mr. Willis, however, regarding his instructions as continuing to require his intercession beyond the point where the President considered that it should cease, held a second and third interview with Liliuokalani. After these interviews had closed, the Queen being still firm in her course, Mr. Carter, a trusted friend, obtained her signature to a pledge of amnesty, and made that the basis of his proposition

to Mr. Dole for the abandonment of the Provisional Government, which was summarily refused. This closed that incident. Mr. Willis, in what he did, obeyed what he conceived to be his instructions, and being so distant from Washington, it is a matter of regret, but not of surprise, that there was an apparent want of harmony between his action in continuing his interviews with Liliuokalani after the President had determined that the full duty of the Government had been performed.

The attitude of Liliuokalani at the conclusion of this proceeding is that of waiting for a pleasant retirement from the cares of public life, rather than of waiting for an opportunity to bring about a hostile collision with the people who support the new order of government in Hawaii.

In dealing with a grave subject, now for the first time presented in America, we must consider the conditions of public sentiment as to monarchic government, and we shall derive also material help from the light of English history. In the Western Hemisphere, except as to the colonial relation, which has become one of mere political alliance chiefly for commercial reasons, and does not imply in any notable case absolute subjection to imperial or royal authority, royalty no longer exists. When a crown falls, in any kingdom of the Western Hemisphere, it is pulverized, and when a scepter departs, it departs forever; and American opinion can not sustain any American ruler in the attempt to restore them, no matter how virtuous and sincere the reasons may be that seem to justify him. There have been heathen temples in the older States in this hemisphere where the bloody orgies of pagan worship and sacrifice have crimsoned history with shame; and very recently such temples have been erected in the United States to abuse Christianity by the use of its sacred name and ritual. When the arms of invaders, or mobs of the people, have destroyed these temples, no just indignation at the cruelties that may have been perpetrated in their destruction could possibly justify their restoration.

It is a great blessing to this Western World that the nations are to be spared the calamities which Blackstone describes as "imbruing the kingdom of England in blood and confusion," growing out of claims of succession to the crown. In almost every reign prior to that of the present house of Hanover, the lives and property of the people of England, amid the greatest cruelties, have been sacrificed in settling pretensions to the crown. It was these conflicts and this distress of innocent sufferers that caused the people to claim through the judges the protection of the doctrine, that service rendered to the king who held the scepter was lawful, although he was not rightfully in possession of the crown. No greater liberty of the people was ever devised or granted than the right of protection under a king *de facto* against a king *de jure*.

De facto governments, when they seek to supply the gap created by an interregnum, are favored in the international law, and when they are also based on the right of popular government in conflict with regal government, or to prevent its reestablishment, once it has disappeared in a State of the Western Hemisphere, it is so rooted and established in the foundations of the rightful authority to rule that it is justly to be ranked among the cardinal liberties of the people.

This doctrine is not new, and yet it is modern in England, where the right to the crown and its prerogatives have bled the people for fifteen centuries. The stringent doctrine that a *de facto* government must be established firmly and in all respects before it is entitled to recognition

by another sovereign and independent power had no application to the facts and circumstances that attended the recent revolution in Hawaii; moreover, if the revolution there had been directed against the entire government and for the overthrow of the constitution of 1887, and all monarchic rule, if it was a sincere, strong, earnest and successful movement of the people for the recovery of their natural right to rule themselves, they should not be narrowly questioned and held to rigid account for a proper and discreet performance of every act necessary to their resumption of their natural rights, but all America must unite in the declaration that, under such circumstances, the presumptions of law should be favorable to such movements, rather than unfriendly to the establishment by the people of the foundations of their liberties, based upon their right to govern themselves.

The parliament of Hawaii had been prorogued by the Queen on the 14th day of January, and could not be again assembled under the constitution, except by the chief executive authority. Until that authority was supplied in some way, therefore, the Legislature could not be reconvened. It was the establishment of that authority, the chief executive head of the nation, which was the question at issue, and when that was decided, an appeal to the Legislature of Hawaii for its confirmation or ratification was not only unnecessary, but might have resulted in a counter revolution. It was, therefore, in the interest of peace, good order, and right government, that the people of Hawaii, who were unopposed in their process of organizing an executive head for the Government, should proceed to do so as they did, regularly and in an orderly, firm, and successful manner. Thus the abdication of Liliuokalani was confirmed and has so continued from that day to this. The Government of the United States has on various occasions recognized the succession to the executive authority as residing in the Provisional Government initiated at that public meeting at the arsenal and consummated on the 17th day of January by public proclamation. Then, on the 17th day of January, according to the recognition of the United States, from which there has been no dissent or departure, the interregnum ceased, and the executive head of the Government of Hawaii was established. Until this was completed, on the 17th day of January, by the proclamation of the Provisional Government, the United States was still charged, under every principle of law and justice and under the highest obligation of duty, to keep her forces in Honolulu, and to enforce, in virtue of her sovereign authority, the rights of her citizens under the treaty obligations and also under the laws of Hawaii, relating to the safety of person and property and the rights of industry, commerce, and hospitality in their free pursuit and enjoyment. And when the Provisional Government was thus established, it rested with the United States to determine whether the Government of Hawaii was so far rehabilitated and so safely established that these rights of her citizens could be intrusted to its keeping. The recognition of such a state of affairs, within a country whose executive department has been made vacant in consequence of domestic strife, is quite a separate and different proceeding, both in form and effect, from the recognition of the political independence of a government that is complete in its organization. In the latter case, the recognition excludes all right of interference in its domestic affairs, while in the former it is the right and duty of supplying the protection of law to the citizen that makes interference necessary as well as lawful.

The independence of Hawaii as a sovereign State had been long recognized by the United States, and this unhappy occasion did not

suggest the need of renewing that declaration. The question presented in Honolulu on and after the 12th of January, 1893, was whether the Queen continued to be the executive head of the Government of Hawaii. That was a question of fact which her conduct and that of her people placed in perilous doubt until it was decided by the proclamation of a new executive. Pending that question there was no responsible executive government in Hawaii. On the 17th of January that doubt was resolved to the satisfaction of the American minister, and of all other representatives of foreign governments in Hawaii, in favor of the Provisional Government. This recognition did not give to the Government of Hawaii the legal or moral right to expel the troops of any government, stationed in Honolulu in the period of interregnum, until it had so firmly established its authority as to give to foreigners the security to provide for which these troops had been landed. Good faith and an honest respect for the rights of friendly nations would certainly require the withdrawal of all further interference with the domestic affairs of Hawaii as soon as that government had provided security that was reasonably sufficient for the protection of the citizens of the United States. But the Government of the United States had the right to keep its troops in Honolulu until these conditions were performed, and the Government of Hawaii could certainly acquiesce in such a policy without endangering its independence or detracting from its dignity. This was done, and the troops from the *Boston* camped on shore for several months. The precise hour when or the precise conditions under which the American minister recognized the Provisional Government is not a matter of material importance. It was his duty, at the earliest safe period, to assist by his recognition in the termination of the interregnum, so that citizens of the United States might be safely remitted to the care of that Government for the security of their rights. As soon as he was convinced that the Provisional Government was secure against overthrow it was his duty to recognize the rehabilitated State. Whether this was done an hour or two sooner or later could make no substantial difference as to his rights or duties, if he was satisfied that the movement was safe against reversal. If no question of the annexation of Hawaii to the United States had existed, the conduct of the American minister in giving official recognition to the Provisional Government would not have been the subject of adverse criticism. But the presence of that question and his anxious advocacy of annexation did not relieve him from the duty or abridge his right to call for the troops on the *Boston* to protect the citizens of the United States during an interregnum in the office of chief executive of Hawaii. They were not to be put into a state of outlawry and peril if the minister had been opposed to annexation, nor could his desire on that subject in anyway affect their rights or his duty. He gave to them the protection they had the right to demand, and, in respect of his action up to this point, so far as it related to Hawaii, his opinions as to annexation have not affected the attitude of the U. S. Government, and the committee find no cause of censure either against Minister Stevens or Capt. Wiltse, of the *Boston*.

Afterward, on the 1st day of February, 1893, the American minister caused the flag of the United States to be raised on the Government building in Honolulu, and assumed and declared a protectorate over that nation in the name of the United States. This act on the part of our minister was without authority, and was void for want of power. It was disavowed by Secretary Foster and rebuked by Secretary

Gresham, and the order to abandon the protectorate and haul down the flag was in accordance with the duty and honor of the United States. To haul down the flag of the United States was only an order to preserve its honor.

The diplomatic officers of the United States in Hawaii have the right to much larger liberty of action in respect to the internal affairs of that country than would be the case with any other country with which we have no peculiar or special relations. In our diplomatic correspondence with Hawaii and in the various treaties, some of them treaties of annexation, which have been signed and discussed, though not ratified, from time to time, there has been manifested a very near relationship between the two governments. The history of Hawaii in its progress, education, development, and government, and in Christianity, has been closely identified with that of the United States—so closely, indeed, that the United States has not at any time hesitated to declare that it would permit no intervention in the affairs of Hawaii by any foreign government which might tend to disturb the relations with the United States, or to gain any advantages there over the Americans who may have settled in that country. The United States has assumed and deliberately maintained toward Hawaii a relation which is entirely exceptional, and has no parallel in our dealings with any other people.

The justification for this attitude is not a matter with which the present inquiry is necessarily connected, but its existence furnishes a good excuse, if excuse is needed, for a very lively concern on the part of our diplomatic representatives in everything that relates to the progress of that people.

The causes that have led to this peculiar situation are altogether apparent. They are in every sense honorable, just, and benevolent. One nation can not assume such an attitude toward another, especially if the latter is, by contrast, small, weak, and dependent upon the good will or forbearance of the world for its existence, without giving to it a guaranty of external and internal security.

The attitude of the United States toward Hawaii, thus voluntarily assumed, gives to Hawaii the right to regard it as such a guaranty.

In the absence of a policy to establish a colonial system and of any disposition for territorial aggrandizement, the Government of the United States looked with approbation and gave encouragement to the labors and influence of their citizens in Hawaii, in laying the groundwork of a free and independent government there which, in its principles and in the distribution of powers, should be like our own, and ultimately become republican in form. This has been the unconcealed wish of the people of the United States, in which many of the native Hawaiians have participated.

Observing the spirit of the Monroe doctrine, the United States, in the beginning of our relations with Hawaii, made a firm and distinct declaration of the purpose to prevent the absorption of Hawaii or the political control of that country by any foreign power. Without stating the reasons for this policy, which included very important commercial and military considerations, the attitude of the United States toward Hawaii was in moral effect that of a friendly protectorate. It has been a settled policy of the United States that if it should turn out that Hawaii, for any cause, should not be able to maintain an independent government, that country would be encouraged in its tendency to gravitate toward political union with this country.

The treaty relations between Hawaii and the United States, as fixed by several conventions that have been ratified, and by other negotia-

tions, have been characterized by a sentiment of close reciprocity. In addition to trade relations of the highest advantage to Hawaii, the United States has so far interfered with the internal policy of Hawaii as to secure an agreement from that Government restricting the disposal of bays and harbors and the crown lands to other countries, and has secured exclusive privileges in Pearl Harbor of great importance to this Government.

This attitude of the two governments and the peculiar friendship of the two peoples, together with the advantages given to Hawaii in commerce, induced a large and very enterprising class of people from the United States to migrate to those islands and to invest large sums of money in the cultivation of sugar and rice, and in other trade and industry. The introduction of laborers from Japan and China in great numbers gave to the governing power in Hawaii a new and very significant importance, and made it necessary, for the protection of the interests of the white or European people and of the natives, that the safeguards of the organic law of the Kingdom should be carefully preserved. In the efforts to secure these guarantees of safe government, no distinction of race was made as to the native or Kanaka population, but Chinese and Japanese were excluded from participation in the government as voters, or as officeholders.

Apprehensions of civil disturbance in Hawaii caused the United States to keep ships of war at Honolulu for many years past, almost without intermission, and the instructions that were given to our diplomatic and consular officers and to the naval commanders on that station went beyond the customary instructions applicable to other countries. In most instances, the instructions so given included the preservation of order and of the peace of the country, as well as the protection and preservation of the property and of the lives and treaty rights of American citizens.

The circumstances above mentioned, which the evidence shows to have existed, create a new light under which we must examine into the conduct of our diplomatic and naval officers in respect of the revolution that occurred in Hawaii in January, 1893. In no sense, and at no time, has the Government of the United States observed toward the domestic affairs of Hawaii the strict impartiality and the indifference enjoined by the general law of noninterference, in the absence of exceptional conditions. We have always exerted the privilege of interference in the domestic policy of Hawaii to a degree that would not be justified, under our view of the international law, in reference to the affairs of Canada, Cuba, or Mexico.

The cause of this departure from our general course of diplomatic conduct is the recognized fact that Hawaii has been all the time under a virtual suzerainty of the United States, which is, by an apt and familiar definition, a paramount authority, not in any actual sense an actual sovereignty, but a *de facto* supremacy over the country. This sense of paramount authority, of supremacy, with the right to intervene in the affairs of Hawaii, has never been lost sight of by the United States to this day, and it is conspicously manifest in the correspondence of Mr. Willis with Mr. Dole, which is set forth in the evidence which accompanies this report.

Another fact of importance in considering the conduct of our diplomatic and naval officers during the revolution of January, 1893, is that the annexation of Hawaii to the United States has been the subject of careful study and almost constant contemplation among Hawaiians and their kings since the beginning of the reign of Kamehameha I. This

has always been regarded by the ruling power in Hawaii as a coveted and secure retreat—a sort of house of refuge—whenever the exigencies of fate might compel Hawaii to make her choice between home rule and foreign domination, either in the form of a protectorate, or of submission to some foreign sovereign.

Hawaii has always desired an escape to a freer government, when she has to be forced to the point where the surrender of racial pride and her standing as a nation would be the severe penalty of her weakness. Hawaiians prefer citizenship in a great republic to the slavery of subjection to any foreign monarchy. Annexation to the United States has never been regarded with aversion, or with a sense of national degradation, by the Hawaiian people. On the contrary, it has been adopted as a feature of political action by those who have attempted to recommend themselves to the support of the people in times of danger.

In the revolution of January, 1893, those who assumed the sovereign power, declaring that there was an interregnum, made it a conspicuous part of their avowed purpose to remain in authority until Hawaii should be annexed to the United States. This was stated as an argument for the creation of a provisional government, without which there would be less advantage in the change of the situation. Annexation was an avowed purpose of the Provisional Government, because it would popularize the movement. No one could project a revolution in Hawaii for the overthrow of the monarchy, that would not raise the question among the people of annexation to the United States.

In the diplomatic correspondence of the United States with our ministers to Hawaii, frequent and favorable allusion is made to this subject as a matter of friendly consideration for the advantage of that country and people, and not as a result that would enhance the wealth or power of the United States. This treatment of the subject began very early in the history of Hawaiian civilization, and it was taken up and discussed by the people of the islands as a topic of patriotic inspiration. It was their habit to celebrate the anniversary of the independence of the United States as a national fête day. So that, there was no thought of conspiracy against the monarchy in openly favoring the project of annexation. Whether annexation is wise and beneficial to both countries is a question that must receive the consideration of both governments before it can be safely settled.

The testimony taken by the committee discloses the well-considered opinion of several of our most eminent naval and military officers, that the annexation of Hawaii is a fact indispensable to the proper defense and protection of our Western coast and cities. But this is a matter with which the committee is not especially charged, and reference is made to these opinions as supporting the statement that all intelligent men in Hawaii and in the United States, who have taken pains to consider the subject, are convinced that the question is one deserving of thorough investigation and a correct and friendly decision. The question of annexation, however, is distinctly presented in the proclamation of the Provisional Government as one to be settled by the action of the Government of the United States.

Commissioners to treat with the United States for the annexation of Hawaii were sent to Washington immediately upon the adoption and promulgation of the Provisional Government, and they negotiated and signed a treaty in conjunction with Mr. Secretary Foster, which was submitted to the Senate of the United States and was subsequently withdrawn by the present administration. Accompanying that treaty

was a paper signed by Liliuokalani, in which she stated no objection to the project of annexation to the United States, but in which she protested earnestly against her dethronement, and alleged that the United States, through the abuse by its diplomatic and naval officers of the powers entrusted to them, had virtually compelled her abdication. The President of the United States, after a further examination of the subject, concluded that it was his duty to withdraw this annexation treaty from the Senate for further consideration, and so notified the Provisional Government through Mr. Willis, our present minister.

The recognition of the Provisional Government was lawful and authoritative, and has continued without interruption or modification up to the present time. It may be justly claimed for this act of recognition that it has contributed greatly to the maintenance of peace and order in Hawaii and to the promotion of the establishment of free, permanent, constitutional government in Hawaii, based upon the consent of the people.

The complaint by Liliuokalani in the protest that she sent to the President of the United States and dated the 18th day of January, is not, in the opinion of the committee, well founded in fact or in justice. It appears from the evidence submitted with this report that she was in fact the author and promoter of a revolution in Hawaii which involved the destruction of the entire constitution, and a breach of her solemn oath to observe and support it, and it was only after she had ascertained that she had made a demand upon her native subjects for support in this movement which they would not give to her, that she, for the time, postponed her determination to carry this revolution into effect, and made known her determination to do so as soon as she could feel that she had the power to sustain the movement.

But the President of the United States, giving attention to Liliuokalani's claim that this Government had alarmed her by the presence of its troops into the abdication of her crown, believed that it was proper and necessary in vindication of the honor of the United States to appoint a commissioner to Hawaii who would make a careful investigation into the facts and send the facts and his conclusions to the President, for his information. The commissioner, Mr. Blount, went to Hawaii under circumstances of extreme embarrassment and executed his instructions with impartial care to arrive at the truth, and he presented a sincere and instructive report to the President of the United States, touching the facts, the knowledge of which he thus acquired. In the agitated state of opinion and feeling in Hawaii at that time, it was next to impossible to obtain a full, fair, and free declaration in respect of the facts which attended this revolution, and particularly was this difficult to obtain from the persons who actively participated in that movement.

The evidence submitted by the committee, in addition to that which was presented by Mr. Blount, having been taken under circumstances more favorable to the development of the whole truth with regard to the situation, has, in the opinion of the committee, established the fact that the revolutionary movement in Hawaii originated with Liliuokalani, and was promoted, provided for, and, as she believed, secured by the passage of the opium bill and the lottery bill through the Legislature, from which she expected to derive a revenue sufficient to secure the ultimate success of her purpose, which was distinctly and maturely devised to abolish the constitution of 1887, and to assume to herself absolute power, free from constitutional restraint of any serious character.

The fact can not be ignored that this revolutionary movement of Liliuokalani, which had its development in the selection of a new cabinet to supplant one which had the support of all the conservative elements in the islands, was set on foot and accomplished during the absence of the American minister on board the ship *Boston* during the ten days which preceded the prorogation of the Legislature. The astonishment with which this movement was received by the American emigrants and other white people residing in Hawaii, and its inauguration in the absence of the *Boston* and of the American minister, show that those people, with great anxiety, recognized the fact that it was directed against them and their interests and welfare and that when it was completed they would become its victims. These convictions excited the serious apprehensions of all the white people in those islands that a crisis was brought about in which not only their rights in Hawaii, and under the constitution, were to be injuriously affected, but that the ultimate result would be that they would be driven from the islands or, remaining there, would be put at the mercy of those who chose to prey upon their property. This class of people, who were intended to be ostracised, supply nine-tenths of the entire tax receipts of the Kingdom; and they were conscious that the purpose was to inflict taxation upon them without representation, or else to confiscate their estates and drive them out of the country. This produced alarm and agitation, which resulted in the counter movement set on foot by the people to meet and overcome the revolution which Lilioukalani had projected and had endeavored to accomplish. Her ministers were conscious of the fact that any serious resistance to her revolutionary movement (of which they had full knowledge before they were inducted into office) would disappoint the expectations of the Queen and would result in the overthrow of the executive government; and, while they had evidently promised the Queen that they would support here in her effort to abolish the constitution of 1887 and substitute one which they had secretly assisted in preparing, when the moment of the trial came they abandoned her—they broke faith with her. The Queen's ministers took fright and gave information to the people of the existence of the movements and concealed purposes of the Queen and of her demands upon them to join her in the promulgation of the constitution, and they appealed to the committee of safety for protection, and continued in that attitude until they saw that the kindled wrath of the people would not take the direction of violence and bloodshed without the provocation of a serious necessity. Being satisfied that they could trust to the forbearance of the people, who were looking to the protection of their interests and had no desire for strife and bloodshed, they began to finesse in a political way to effect a compromise between the people and the Queen, and they induced her to make the proclamation of her intentions to postpone the completion of her revolutionary purposes, which was circulated in Honolulu on Monday morning. These men, whose conduct can not be characterized as anything less than perfidious, hastened to give to the President of the United Stotes false and misleading statements of the facts leading up to, attending, and succeeding this revolution. To do this they made deceptive and misleading statements to Mr. Blount. Upon them must rest the odium of having encouraged the Queen in her revolutionary intentions; of having then abandoned her in a moment of apparent danger; of having thrown themselves upon the mercy of the people, and then of making an attempt, through falsehood and misrepresenta

tion, to regain power in the Government of Hawaii, which the people would, naturally, forever deny to them.

A question has been made as to the right of the President of the United States to dispatch Mr. Blount to Hawaii as his personal representative for the purpose of seeking the further information which the President believed was necessary in order to arrive at a just conclusion regarding the state of affairs in Hawaii. Many precedents could be quoted to show that such power has been exercised by the President on various occasions without dissent on the part of Congress or the people of the United States. The employment of such agencies is a necessary part of the proper exercise of the diplomatic power which is intrusted by the Constitution with the President. Without such authority our foreign relations would be so embarrassed with difficulties that it would be impossible to conduct them with safety or success. These precedents also show that the Senate of the United States, though in session, need not be consulted as to the appointment of such agents, or as to the instructions which the President may give them.

An authority was intrusted to Mr. Blount to remove the American flag from the Government building in Hawaii, and to disclaim openly and practically the protectorate which had been announced in that country by Minister Stevens, and also to remove the troops from Honolulu to the steamer *Boston*. This particular delegation of authority to Mr. Blount was paramount over the authority of Mr. Stevens, who was continued as minister resident of the United States at Honolulu, and it raised the question whether the Government of the United States can have at the same foreign capital two ministers, each of whom shall exercise separate and special powers.

There seems to be no reason why the Government of the United States can not, in conducting its diplomatic intercourse with other countries, exercise powers as broad and general, or as limited and peculiar, or special, as any other government. Other governments have been for many years, and even centuries, in the habit of intrusting special and particular missions to one man representing them at a foreign court, and to several men in combination when that was found to be desirable. In fact, there has been no limit placed upon the use of a power of this kind, except the discretion of the sovereign or ruler of the country. The committee fail to see that there is any irregularity in such a course as that, or that the power given to Mr. Blount to withdraw the troops from Honolulu or to lower the flag of the United States was to any extent either dangerous or interrupting to any other lawful authority existing there in any diplomatic or naval officer. There may be a question as to the particular wording of the order which Mr. Blount gave to Admiral Skerrett for the lowering of the flag and the withdrawal of the troops, but that is a hypercriticism, because the substantial fact was that Mr. Blount executed the command of the President in communicating to Admiral Skerrett such order, as the order of the President of the United States. Mr. Blount's authority had been made known to Admiral Skerrett; his instructions had been exhibited to Admiral Skerrett; and they both understood that what Mr. Blount was then doing had received the sanction of the President of the United States before Mr. Blount had entered upon the discharge of his ministerial functions, and that his act would receive the unqualified approval of the President of the United States. That being so, the mere form in which the order was addressed to Admiral Skerrett seems to be a matter of no serious consequence.

The control given to Mr. Trist over the military operations in Mexico, when war was flagrant, was far greater than that which was confided to Mr. Blount. The secret orders given to the commanders of the Army and of the Navy on that occasion are set out in the appendix to this report.

When Mr. Willis arrived in Honolulu he was received by the Provisional Government, to which he was accredited, and an interchange of the usual courtesies was had between them. He carried instructions, as minister of the United States, which did not concern the Government of Hawaii until they had been attended with a certain result which he endeavored to bring about. That result was that Liliuokalani should agree that, in the event of her restoration to the throne, not by the action of the President of the United States, but in any other event, or by any agreement, she would bind herself to grant full and free amnesty to all persons who had been engaged in opposition to her alleged authority. When that agreement had been obtained Mr. Willis was instructed to submit it to the Provisional Government and ascertain whether they would agree to restore the Queen to the throne under those circumstances and upon those conditions. If this was intervention, it was in the interest of Americans in Hawaii. It was an exaction upon Liliuokalani which would forbid, under the penalty of war, that should she acquire the throne by whatever means, that she should openly disavow any purpose to inflict any pains and penalties upon those who had supported the Provisional Government. Liliuokalani, after several efforts on the part of Mr. Willis to obtain her consent to this proposition, finally signed it without the assent of her ministers, and it was attested by Mr. Carter, who was a personal and political friend. Her declaration or agreement thus signed and delivered to Mr. Willis was by him presented to the President of the Provisional Government (who was also minister of foreign affairs), and the question whether or not it would be accepted by the Government of Hawaii was submitted to him. Whereupon the President of the Provisional Government declined to accept the proposition; declined to yield the power which had been vested in him as the chief executive of Hawaii; and nothing more was done either to induce him, or to compel him, to consent to, or to assist in, the restoration of Liliuokalani to the throne or the restoration of the Monarchy.

If, in this course of proceeding, the President of the United States had intended to compel obedience to what is termed his "decision" in the matter by using the force of the United States to assist the Queen in being enthroned, that would have been an act of war, entirely beyond his power, and would not have received the sanction of any considerable part of the American people, and would have no warrant in international law. But such was not the intention of the President, as is shown by contemporaneous acts, by his declarations, and by his subsequent treatment of the subject. Therefore, the question between the United States and Hawaii touching the propriety of an intervention in the domestic affairs of Hawaii to the extent of gaining the final decision and agreement of both parties upon these propositions is one that is strictly within the accepted right or authority of a sovereign to tender his good offices to reconcile the conflicts of two or more factions, or parties, that may be opposed to each other within any country. The tender of good offices has often been voluntarily made in the interest of humanity, of peace, of law, and of order, or at the suggestion of one of two belligerent powers actually engaged in war. Sometimes it has

been made at the suggestion of that party in a government, engaged in actual hostilities, which had the evident power to crush its opponent by prosecuting the war to extremities. In such cases the intervention has often been accepted as a merciful interposition, and it has been considered an honor by other governments that they should be requested, under such circumstances, to exercise their good offices in favor of procuring peace through a submission to inevitable results. When the tender of good offices is made at the request of both of the contending parties it is difficult to conceive how any sovereign of a foreign country could refuse to act in such matter.

In the public act by which the Provisional Government of Hawaii was established there was a distinct declaration that that Government was to continue until Hawaii was annexed to the United States. That declaration, apart from every other consideration, would have justified the United States in an interference for the protection of the Provisional Government which would not have been tolerated under other circumstances. That declaration created an intimacy of relationship between the United States and the recognized Government of Hawaii which is entirely exceptional, and which placed within the reach and control of the United States very largely, if not entirely, the disposal of those questions collateral to that of annexation which might have interfered with the peaceful and appropriate solution of any difficulty which might arise in its execution. So that the Provisional Government of Hawaii, having thus thrown itself into the arms of the United States in the first declaration of its existence, can not justly complain that the United States should scrutinize, under the authority thus given, all its pretensions of right thus to dispose of an entire country and people. And Liliuokalani, having reference to the same project of annexation, of which she was fully cognizant, made complaint that the United States had assisted in driving her from her throne by bringing its troops on shore in military array at a time when there was no necessity for it, distinctly announced at the moment of her final and avowed abdication that she would abdicate provisionally and would await the decision of the United States as to whether that abdication and the destruction of the Kingdom and the annexation of Hawaii to the United States should become completed facts. Under such circumstances the President of the United States, believing that the information then in possession of the Government was not sufficient to justify summary annexation, could not have done justice to himself, to his country, to the people of Hawaii, to the Provisional Government, or to Liliuokalani, without having made an effort to use his good offices for the purpose of ascertaining whether it was practicable that the Queen should be restored to her authority, leaving the question to be determined by the people interested in Hawaii whether such restoration would be acceptable to them or not. If Liliuokalani had been restored to her throne by the consent of the membership of the Provisional Government, upon the terms and conditions of the proposition which she signed and delivered to Mr. Willis, the President of the United States would not have been in any sense responsible for her restoration, would not have espoused the monarchy, nor would he have done anything that was contradictory of American sentiment, opinion, or policy. He would only have been the mutual friend, accepted, really, by both parties, whose intervention would have secured, with their consent, the final solution of that question. In the absence of such commital on his part to the claims of Liliuokalani or resistance on his part to the

recognized rights of the Provisional Government, there is no reason for withholding approval of the conduct of the President of the United States in thus accepting and executing a function which he was entitled to perform, in submitting the question, in due and final form, to the contending parties or factions in Hawaii, whether they preferred to maintain the authority of the Provisional Government, with whatever results may follow from that, or a return to the monarchy under Liliuokalani.

Therefore your committee conclude to report that the President of the United States has not, in this particular, in any wise been a party to any irregularity or any impropriety of conduct in his high office.

The committee find nothing worthy of criticism in the negotiation of the treaty of annexation with the Provisional Government of Hawaii.

The revolution in Hawaii had the effect of displacing one chief of the executive department and substituting another. Except the Queen and her cabinet, no officer of the Government was removed. The legislative body, including the house of nobles and house of representatives and their presiding officers, remained in commission. The supreme court and all other judicial magistracies and the officers of the courts were left undisturbed, and, when the interregnum ended, they pursued their duties without change or interruption; commerce with foreign countries and between the islands was not in any way prevented, and the commercial and banking houses were open for business, which resumed activity when the executive head of the Government was again in the exercise of lawful authority.

The Government had not been displaced and another substituted, but only a department which was left vacant had been rehabilitated.

When this was done and the fact was recognized, the Government of Hawaii was as competent to treat of annexation to the United States as it had ever been, or as it ever will be, until the United States shall decide that it will annex no more territory unless with the consent of the people to be annexed, to be ascertained by a plebiscite.

Complaint is made also that this project of annexation was attempted to be consummated in too great haste.

That raises a question of due consideration; for, if the people of both countries desired it, or if, according to every precedent to be found in the various annexations of countries and States to the United States, the respective governments desired it, speedy action in completing the cession was desirable for many obvious reasons, among which the injurious disturbance of commerce and danger to the public peace growing out of a protracted agitation of so grave a matter, are conspicuous.

But this is a question of long standing, which has been under favorable consideration by the kings and people of Hawaii and the Government and people of the United States for more than fifty years.

It is well understood, and its importance increases with every new event of any consequence in Hawaii, and with the falling-in of every island in the Pacific Ocean that is captured by the great maritime powers of Europe. The committee have copied, in the Appendix to this report, portions of the remarks of Hon. William. F. Draper in the House of Representatives on the 4th of February, 1894, which refer in a very clear and concise way to the progress of foreign intervention in the Pacific Ocean by European powers. The committee also present the following message of President Grant to the Senate, with the accompanying letter of Hon. Henry A. Peirce, then our minister to

Hawaii, which shows that the subject of cession and annexation have been on several occasions carefully considered by the governments of Hawaii and the United States.

[Confidential.—Executive B.—Forty-second Congress, first session.]

Message of the President of the United States, transmitting a copy of a dispatch relative to the annexation of the Hawaiian Islands, addressed to the Department of State by Henry A. Pierce, minister resident of the United States at Honolulu.

APRIL 7, 1871.—Read and, with the dispatch referred to the Committee on Foreign Relations, ordered to be printed in confidence for the use of the Senate.

To the Senate of the United States:

I transmit confidentially, for the information and consideration of the Senate, a copy of a dispatch of the 25th of February last, relative to the annexation of the Hawaiian Islands, addressed to the Department of State by Henry A. Pierce, minister resident of the United States at Honolulu. Although I do not deem it advisable to express any opinion or to make any recommendation in regard to the subject at this juncture, the views of the Senate, if it should be deemed proper to express them, would be very acceptable with reference to any future course which there might be a disposition to adopt.

U. S. GRANT.

WASHINGTON, *April 5, 1871.*

Mr. Pierce to Mr. Fish.

No. 101.] LEGATION OF THE UNITED STATES OF AMERICA,
Honolulu, February 25, 1871.

SIR: Impressed with the importance of the subject now presented for consideration, I beg leave to suggest the inquiry whether the period has not arrived making it proper, wise, and sagacious for the U. S. Government to again consider the project of annexing the Hawaiian Islands to the territory of the Republic. That such is to be the political destiny of this archipelago seems a foregone conclusion in the opinion of all who have given attention to the subject in this country, the United States, England, France, and Germany.

A majority of the aborigines, creoles, and naturalized foreigners of this country, as I am credibly informed, are favorable, even anxious for the consummation of the measure named.

The event of the decease of the present sovereign of Hawaii, leaving no heirs or successor to the throne, and the consequent election to be made by the legislative assembly of a king, and new stirps for a royal family, will produce a crisis in political affairs which, it is thought, will be availed of as a propitious occasion to inaugurate measures for annexation of the islands to the United States, the same to be effected as the manifest will and choice of the majority of the Hawaiian people, and through means proper, peaceful, and honorable.

It is evident, however, no steps will be taken to accomplish the object named without the proper sanction or approbation of the U. S. Government in approval thereof.

The Hawaiian people for fifty years have been under educational instruction of American missionaries, and the civilizing influences of

New England people, commercial and maritime. Hence they are puritan and democratic in their ideas and tendencies, modified by a tropical climate. Their favorite songs and airs are American. Sherman's "Marching Through Georgia" and "John Brown's Soul is Marching On" are daily heard in the streets and in their schoolrooms. The fifteenth amendment to the Constitution of the United States has made the project of annexation to our Union more popular than ever both here and in the United States.

The native population is fast disappearing; the number existing is now estimated at 45,000, having decreased about 15,000 since the census of 1866. The number of foreigners in addition is between 5,000 and 6,000, two-thirds of whom are from the United States, and they own more than that proportion of foreign capital, as represented in the agriculture, commerce, navigation, and whale fisheries of the Kingdom.

This country and sovereignty will soon be left to the possession of foreigners, "to unlineal hands, no sons of theirs succeeding." To what foreign nation shall these islands belong if not to the great Republic? At the present those of foreign nativities hold all the important offices of government and control legislation, the judiciary, etc. Well disposed as the Government now is towards the United States and its resident citizens here, in course of time it may be otherwise, as was the case during our civil war.

I now proceed to state some points of a more general character, which should influence the U. S. Government in their decision of the policy of acquiring possession of this archipelago, their geographical position occupying, as it does, an important central, strategical point in the North Pacific Ocean, valuable, perhaps necessary, to the United States for a naval depot and coaling station, and to shelter and protect our commerce and navigation, which in this hemisphere is destined to increase enormously from our intercourse with the 500,000,000 population of China, Japan, and Australia. Humbolt predicted that the commerce on the Pacific would, in time, rival that on the Atlantic. A future generation, no doubt, will see the prophecy fulfilled.

The immense injury inflicted on American navigation and commerce by Great Britain in the war of 1812–1814 through her possessions of Bermuda and other West India Islands, as also that suffered by the English from French privateers from the Isle of France during the wars between those nations, are instances in proof of the necessity of anticipating and preventing, when we can, similar evils that may issue from these islands if held by other powers. Their proximity to the Pacific States of the Union, fine climate and soil, and tropical productions of sugar, coffee, rice, fruits, hides, goatskins, salt, cotton, fine wool, etc., required by the West, in exchange for flour, grain, lumber, shooks, and manufactures of cotton, wool, iron, and other articles are evidence of the commercial value of one to the other region.

Is it probable that any European power who may hereafter be at war with the United States will refrain from taking possession of this weak kingdom, in view of the great injury that could be done to our commerce through their acquisition of them?

It is said that at a proper time the United States may have the sovereignty of these islands without money and without price, except, perhaps, for purchase of the Crown and public lands, and moderate annuities to be given to the five or six high chiefs now living with uncertain claims as successors to the Crown.

His Hawaiian Majesty, although only in his forty-first year, is liable to a sudden decease, owing to frequent attacks of difficulty in breathing and danger of suffocation from congestion caused by obesity. His weight is 300 pounds. He is sole survivor of the royal race of Kamehameha; unmarried, no heir, natural or adopted; possesses the constitutional prerogative of naming his successor, but it is believed he will not exercise it, from a superstitious belief his own death would follow immediately the act.

Prince Alexander and Lott Kamehameha (the former subsequently became the fourth Hawaiian King and the latter the fifth) and Dr. G. P. Judd, my informant, visited England in 1850 as Hawaiian commissioners.

Lord Palmerston, at their interview with him, said, in substance, "that the British Government desired the Hawaiian people to maintain proper government and preserve national independence. If they were unable to do so he recommended receiving a protectorate government under the United States or by becoming an integral part of that nation. Such," he thought, "was the destiny of the Hawaiian Islands arising from their proximity to the States of California and Oregon and natural dependence on those markets for exports and imports, together with probable extinction of the Hawaiian aboriginal population and its substitution by immigration from the United States." That advice seems sound and prophetic.

The following historical events in relation to these islands are thought worthy of revival in recollection:

February 25, 1843.—Lord George Paulet, of Her Britannic Majesty's ship *Carysfort*, obtained, by forceful measures, cession of the Hawaiian Islands to the Government of Great Britain, July 31, 1843. They were restored to their original sovereignty by the British Admiral Thomas.

November 28, 1843.—Joint convention of the English and French Governments, which acknowledged the independence of this archipelago and reciprocally promised never to take possession of any part of same. The United States Government was invited to be a party to the above but declined.

August, 1849.—Admiral Tromelin, with a French naval force, after making demands on the Hawaiian Government impossible to be complied with, took unresisted possession of the fort and Government buildings in Honolulu, and blockaded the harbor. After a few weeks' occupation of the place the French departed, leaving political affairs as they were previous to their arrival.

January, 1851.—A French naval force again appeared at Honolulu, and threatened bombardment and destruction of the town.

The King, Kamehameha III, with the Government, fearing it would be carried into effect, and in mortal dread of being brought under French rule similar to that placed by the latter over Tahiti, of the Society Islands, executed a deed of cession of all the Hawaiian Islands and their sovereignty forever in favor of the United States of America.

The document in a sealed envelope was placed in charge of Mr. Severance, United States commissioner here, with instructions to take formal official possession of the soil of these islands on occasion of the first hostile shot fired by the French. On learning the facts the latter desisted further aggressive acts and departed from the country.

Since that period the French authorities have pursued a conciliatory course in their relations with the Hawaiian Government, and fully of opinion, it is said, that a secret treaty exists between the United States Government and that of Hawaii, by which these islands pass into the

possession of the former in case of aggressions made upon them there after by any hostile powers.

In 1854 the administration of President Pierce authorized the United States commissioner, Mr. Gregg, to negotiate a treaty with the Hawaiian authorities for the cession of the sovereignty of these islands to the United States; but Mr. Gregg succeeded only in obtaining a protocol for a treaty, by which the United States were to extend a protectorate government over them. The matter in that form did not meet with the approval of Mr. Secretary Marcy, and further negotiations ceased.

I omitted to state in proper sequence that the deed of cession of 1851 was, by order of the Secretary of State, Mr. Webster, returned to the Hawaiian Government.

In conclusion, I herewith inclose Annual Review of the Agriculture and Commerce of the Hawaiian Islands for the year 1870, published by the Pacific Commercial Advertiser, February 25, 1871. Additional copies will accompany my dispatch No. 102. Permit me to refer you to a lithographic map, published in 1867 by U. S. Bureau of Statistics, as showing in convenient form the relative position of these islands to the continents of America, Asia, etc.; also, steamship lines radiating therefrom.

With great respect, your obedient, humble servant,

HENRY A. PIERCE.

Hon. HAMILTON FISH,
Secretary of State, Washington, D. C.

A President informed as to the history of his country could find no difficulty in dealing with the question of the annexation of Hawaii to the United States on the ground that it is new; and a minister to Hawaii who should fail to inform his Government of the political changes in Hawaii that would affect that question would neglect his duty.

It is not a just criticism upon the correspondence of Minister Stevens with his Government that he earnestly advocated annexation. In this he was in line with Mr. Marcy and nearly every one of his successors as Secretary of State, and with many of Mr. Stevens's predecessors as minister to Hawaii. His letters to his Government were written under the diplomatic confidence that is requisite to secure freedom in such communications, and were not expected to come under the scrutiny of all mankind. They show no improper spirit and are not impeachable as coloring or perverting the truth, although some matters stated by him may be classed as severe reflections. Whatever motives may have actuated or controlled any representative of the Government of the United States in his conduct of our affairs in Hawaii, if he acted within the limits of his powers, with honest intentions, and has not placed the Government of the United States upon false and untenable grounds, his conduct is not irregular.

But, in his dealings with the Hawaiian Government, his conduct was characterized by becoming dignity and reserve, and was not in any way harsh or offensive. In the opinion of the committee, based upon the evidence which accompanies this report, the only substantial irregularity that existed in the conduct of any officer of the United States, or agent of the President, during or since the time of the revolution of 1893, was that of Minister Stevens in declaring a protectorate of the United States over Hawaii, and in placing the flag of our country upon the Government building in Honolulu. No actual harm resulted

from this unauthorized act, but as a precedent it is not to be considered as being justified. The committee have not considered it necessary to present any resolutions stating the conclusions that are indicated in this report, and ask that they be discharged from the further consideration of the resolutions under which this report is made.

We are in entire accord with the essential findings in the exceedingly able report submitted by the chairman of the Committee on Foreign Relations. But it is our opinion—

First. That the appointment on the 11th day of March, 1893, without the advice and consent of the Senate, of Hon. James H. Blount as "special commissioner" to the Hawaiian Government under letters of credence and those of instruction, which declared that "in all matters affecting relations with the Government of the Hawaiian Islands his authority is paramount" was an unconstitutional act, in that such appointee, Mr. Blount, was never nominated to the Senate, but was appointed without its advice and consent, although that body was in session when such appointment was made and continued to be in session for a long time immediately thereafter.

Second. The orders of the Executive Department by which the naval force of the United States in the harbor of Honolulu was in effect placed under the command of Mr. Blount or of Mr. Willis were without authority or warrant of law.

Third. The order given by Mr. Blount to Admiral Skerrett to lower the United States ensign from the Government building in Honolulu and to embark the troops on the ships to which they belonged, was an order which Mr. Blount had no lawful authority to give. Its object was not to terminate a protectorate. That relation had been disavowed by the administration of President Harrison immediately upon receiving information of its establishment. The flag and troops, when such order was given by Mr. Blount, were in the positions from which he ordered them to be removed for the purpose of maintaining order and protecting American life and property. Their presence had been effectual to those ends, and their removal tended to create, and did create, public excitement and, to a degree, distrust of the power of the Provisional Government to preserve order or to maintain itself. That order of Mr. Blount was susceptible of being construed as indicating an unfriendly disposition on the part of the United States toward the Provisional Government, and it was so construed, particularly by the people of Hawaii.

In the light of subsequent relations between Mr. Blount and his successor, Mr. Willis, with the Queen, whose office had become vacant by her deposition and abdication under the attack of a successful revolution, this order and its execution were most unfortunate and untoward in their effect. Such relations and intercourse by Messrs. Blount and Willis with the head and with the executive officers of an overthrown government, conducted for the purpose of restoring that government by displacing its successor, were in violation of the constitution and of the principles of international law and were not warranted by the circumstances of the case.

Fourth. The question of the rightfulness of the revolution, of the lawfulness of the means by which the deposition and abdication of the Queen were effected, and the right of the Provisional Government to

exist and to continue to exist was conclusively settled, as the report so forcibly states, against the Queen and in favor of the Provisional Government, by the act of the administration of President Harrison recognizing such Provisional Government, by the negotiation by that administration with such Provisional Government of a treaty of annexation to the United States; by accrediting diplomatic representation by such administration and by the present administration to such Provisional Government; therefore, it incontrovertibly follows that the President of the United States had no authority to attempt to reopen such determined questions, and to endeavor by any means whatever to overthrow the Provisional Government or to restore the monarchy which it had displaced.

While it is true that a friendly power may rightfully tender its good offices of mediation or advice in cases such as that under present consideration, it is also true that the performance of such offices of mediation or advice ought not to be entered upon without the consent previously given by both the parties whom the action or decision of the friendly power may affect. Such consent was not given in the present instance. The Provisional Government never so consented; it was never requested to consent. It denied the jurisdiction of the present administration on every proper occasion. Therefore the proceedings by the President, which had for their result his request and monition to the Provisional Government to surrender its powers, to give up its existence and to submit to be displaced by the monarchy which it had overthrown, had no warrant in law, nor in any consent of one of the parties to be affected by such proceedings.

Fifth. The avowed opinion of the President of the United States, in substance, that it is the duty of this Government to make reparation to the Queen by endeavoring to reinstate her upon her throne by all constitutional methods, is a clear definition of the policy of the present administration to that end. The instructions to Messrs. Blount and Willis must be construed to be other and more ample forms of expression of that policy. No other presumption is permissible than that their actions at Honolulu were with intent to carry out that avowed policy. These considerations make immaterial any discussion, in this connection, of the personal intentions, circumspection, or good faith of these gentlemen in the performance of the task to which they had been plainly commanded by the present administration.

JOHN SHERMAN.
WM. P. FRYE.
J. N. DOLPH.
CUSHMAN K. DAVIS.

ADDITIONAL VIEWS SUBMITTED BY MEMBERS OF THE COMMITTEE.

The undersigned, members of the Committee on Foreign Relations, submit herewith the following views adverse to the report of the committee, upon the subject of the recent political revolution in Hawaii.

Agreeing as we do with the conclusions submitted by the chairman of the committee that no irregularities were committed either in the appointment of Special Commissioner Blount or in the instructions given him by the President, and without denying or conceding in any manner the correctness of the facts as claimed, or of the statements as made, in said report concerning other matters therein mentioned, we especially dissent from that portion thereof which declares that the only substantial irregularity in the conduct of Mr. Stevens, the late minister, was his declaration of a protectorate by the United States over Hawaii. We are of the opinion also that there are no valid reasons and no course of dealing in our past relations with those islands which justifies interference by the United States with the political internal affairs of Hawaii any more than with those of any other independent state or nation in this hemisphere. We can not concur, therefore, in so much of the foregoing report as exonerates the minister of the United States, Mr. Stevens, from active officious and unbecoming participation in the events which led to the revolution in the Sandwich Islands on the 14th, 16th, and 17th of January, 1893. His own admissions in his official correspondence with this Government, his conduct for months preceding the revolution, as well as the facts established by the evidence before the committee, clearly justify such a conclusion.

On the other hand, we are not inclined to censure Capt. Wiltse, commanding the United States war-ship *Boston*, or the officers of that vessel. Their position was one of extreme delicacy and difficulty, and we appreciate their anxiety to afford protection to the lives and property of American citizens. The force of United States marines of the *Boston* with their ordinary arms stationed at the American legation, and at the consulate in Honolulu, would have effectually represented the authority and power of the United States Government, and would have afforded whatever protection American interests might have required; and at the same time would have avoided the appearance of coercion or duress, either upon the people of Honolulu or the Queen in the controversy between them. This is our opinion, after a careful examination of all the facts and circumstances disclosed in the evidence. But, as we have observed, the position was a delicate and difficult one. Perhaps if we had been on the ground in the presence of the minister, under the influence of his advice and counsel, and of the environments and conditions surrounding Capt. Wiltse, his officers and men, we might have landed the forces as he did; but a less formidable array would have removed from the Queen the excuse for asserting that she and her government were overawed by the United States forces, to which she claims under protest to have surrendered,

and at the same time have afforded all necessary protection to the lives and property of our citizens at that port, if they were in any jeopardy.

The moral support and good offices of this Government, or of any government, is always permissible in promoting the moral tone and political improvement of the government of foreign countries on terms of amity with their own; but there is nothing in international law, in sound public policy, or in our past history and traditions which justifies a representative of this Government in interfering officiously or improperly in the domestic or political affairs of a foreign country, whatever may be the character of its rulers, its form of government, or its political condition. We have enough to do to attend to our own business.

We can not, therefore, avoid the conviction that the inopportune zeal of Minister Stevens in the project of annexation of the Sandwich Islands to the United States caused him to exceed the proper limits of his official duty and of his diplomatic relations to the government and people of those islands. His conduct as the public representative of this Government was directly conducive to bringing about the condition of affairs which resulted in the overthrow of the Queen, the organization of the Provisional Government, the landing of the United States troops, and the attempted scheme of annexation; and upon this conclusion his conduct is seriously reprehensible and deserving of public censure.

M. C. BUTLER,
DAVID TURPIE,
JOHN W. DANIEL,
GEORGE GRAY,
Members of Minority.

FEBRUARY 22, 1894.

The question of annexation is not submitted for the consideration of the committee, except as it incidentally affects the main question discussed; but it may not be improper for me to say, in this connection, that I am heartily in favor of the acquisition of those islands by the Government of the United States; and in a proper case and on an appropriate occasion I should earnestly advocate the same. But I am unwilling to take advantage of internal dissentions in those islands, for which I believe we are in some measure responsible, to consummate at this time so desirable an object.

M. C. BUTLER.

I concur in the above.

DAVID TURPIE.

APPENDIX TO THE REPORT OF THE COMMITTEE.

I. THE FOLLOWING IS THE TRANSLATION OF THE ORIGINAL POSTER REFERRED TO BY MR. HOES IN HIS STATEMENT.

[Translation.]

THE VOICE OF THE PEOPLE.

1. A mass meeting will be held in front of the opera house, outside of the Palace yard, at 2 o'clock this afternoon, Monday, January 16, to consider the condition of the country.

By order

COMMITTEE OF LAW AND ORDER.

THE VOICE OF THE CHIEF.

2. On the afternoon of Saturday last the voice of the sacred chief of Hawaii, Liliuokalani, the tabued one, speaking as follows:

"Oh, ye people who love the chief, I hereby say to you, I am now ready to proclaim the new constitution for my Kingdom, thinking that it would be successful; but behold obstacles have arisen. Therefore I say unto you, loving people, go with good hope, and do not be disturbed or troubled in your minds, because within the next few days now coming I will proclaim the new constitution.

"The executive officers of the law (the cabinet) knew the errors in this new constitution, but they said nothing.

"Therefore, I hope that the thing which you, my people, so much want will be accomplished; it also is my strong desire."

And her last order was that we should pray to God to bless this Kingdom and the throne of Hawaii.

STUBBORNNESS.

3. From the day of the passage of the lottery bill until the prorogation of the Legislature the members of the Reform party in the House have been refractory. It is seen that this is the Missionary party. This is a childish act, showing the lack of principle of the Reform party and the unexampled pride of the missionaries. The missionaries are the parents of these actions, and their reason for so doing is because of their regret and vexation by reason of the failure of their schemes in the Legislature. The National party is not this way. If the Reform party is successful the Hawaiian party does not show its disappointment, but, with its customary patience, continues on working for the good of all without feelings of strife.

The foreign members of this session have shown their wicked intentions, their causeless jealousy, when the majority of the people,

the Hawaiian party, voted as they wished. During all the bribery there has grown up a united determination on the part of the National party to hold their prerogatives and carry out the desires of their constituents who elected them. Great is our contempt for this causeless opposition of the missionaries and their friends, and for the first time we are able to congratulate the Hawaiian members on account of their unanimity during these few days.

DIFFERENT VIEWS.

4. We hear that the representatives of the foreign countries have met and decided to help the Queen's cabinet and support her, except the American minister. The Annexationists are seeking some pretext to injure the Queen, and order the American naval forces on shore to protect their property without knowing what they are afraid of, for the ghosts which they are conjuring up will act as they acted in 1887.

OH, YE HAWAIIAN PEOPLE.

5. To-day a public meeting has been called by the missionaries of the Reform party and those who are deceived by them at Manamana, with the intention of injuring the Queen because of her love for the people in consenting to promulgate a new constitution, to depose her from being Queen, and to turn the monarchy into a republic. Therefore, those who love the country, those who are born in the country, stand fast in support of the monarchy and do not let one true Hawaiian go to this meeting to which you are invited. Oh, all ye true Hawaiians, let us support our Queen, and consecrate our lives for the benefit of our Queen and the peace of the land. All of the people who love the chief are invited to go straight to the meeting in front of the opera house at 2 o'clock this afternoon. One loving heart in our breasts throughout the land, oh, descendants of Kamehameha.

THE HELPERS OF THE CABINET.

6. The banks of Bishop and Spreckels are ready to help the Government with money. Certain merchants are also ready to support the Government. It is apparent that it is only certain missionaries who are secretly meeting and seeking a riot as a reason for landing the men of war when there is no reason.

LET THE PEOPLE BE READY.

7. To give their thanks to-day at the meeting to be held at 2 this afternoon in front of the Opera House, to their Queen, who wanted to execute the desires of her people, but by reason of obstacles she could not lawfully do so. On account of this love of our Queen, and what she tried to do under her spirit of love, but she could not accomplish it, and when she saw that it could not be done she expressed her regret with sorrow, and instructed the committee of the people to go and wait, and their desires would be carried out in accordance with the right, and for them to keep the peace.

MASS MEETING!

8. The meeting which is to be held in front of the opera house is to be held by the party which supports the Government, and the subjects of the Queen are invited to attend and listen to the voices of the

leaders of the people. We are being plotted against without reason. The independence of Hawaii is being assaulted by the wicked and refractory ones because the Queen listened to the pleadings of her own people to give a new constitution. She has left this thought to her cabinet, and thanks are due for this loving thought of the chief in leaving to them this desire of the people of the land, and they have restrained the love of the chief until such time as it may seem good. Because it can not be helped, we had better be patient and listen to her words: "I regret that your desires are not complied with, but you must go and keep the peace, and the time will come when your desires will be satisfied."

I hereby certify that the foregoing is a correct translation of the accompanying extra issued by the Ka Leo o Ka Lahui, a Honolulu newspaper, published in Honolulu in the Hawaiian language, on January 16, 1893.

LORRIN A. THURSTON.

II. BY ORDER OF THE COMMITTEE THE FOLLOWING INSTRUCTIONS OF THE SECRETARY OF THE NAVY TO COMMODORE PERRY, DATED APRIL 15, 1847, WERE MADE PART OF THE RECORD.

[Confidential.]

NAVY DEPARTMENT,
Washington, April 15, 1847.

Commodore M. C. PERRY,
Commanding the Home Squadron:

SIR: The successes which have recently crowned our arms would seem to justify the expectation that the Government of Mexico would feel disposed to submit proposals for peace. That there may be no unnecessary delay in acting on such proposals, if they shall be made, the President has directed Nicholas P. Trist, esq., of the State Department, to proceed to the headquarters of the Army or to the squadron, as he shall deem most convenient, and be in readiness to receive any proposition for a settlement of the questions at issue. Mr. Trist is clothed with such diplomatic power as to authorize him to enter into arrangements with the Mexican Government for the mutual suspension of hostilities. If he shall communicate to you in writing that the contingency has occurred, you will act in accordance with his directions and suspend actual hostilities until further orders from the Department, unless the enemy shall continue or recommence them. In doing so you will not relinquish any position which you may occupy, or abstain from any change of position which, in your judgment, may be necessary for the security or health of your command.

You will afford to Mr. Trist every facility and accommodation in your power and a speedy passage to New Orleans when he may desire to return. You will not relax the vigor of your operations while he may remain in Mexico, unless he directs you to suspend them, but during that time it is desirable, if it does not conflict with your arrangements, that you shall be in the harbor of Vera Cruz, or as accessible as may be.

You will be pleased to make your communications to the Department as frequent as you may find opportunity.

I am, very respectfully, your obedient servant,

JOHN Y. MASON

U. S. FLAGSHIP MISSISSIPPI,
Anton Lizardo, May 8, 1847.

SIR: I have received by Mr. Trist your confidential communication of the 15th instant, and in a personal interview with that gentleman have made the requisite arrangements for carrying out the wishes and intentions of the Department.

It is highly necessary that I should no longer delay a visit to the eastern coast as far as Laguna and Campeche. This I can do before any communication of interest can be received from Mr. Trist, and we both agree that it is better for me to make the visit now, that I may be at Vera Cruz about the time he shall have been informed of the result of his mission; but to prevent any inconvenience I shall leave a steamer at Vera Cruz to bring me any communication that Mr. Trist might transmit during my absence.

The *Potomac* will also be left at Vera Cruz.

With great respect, I am, sir, your most obedient servant,

M. C. PERRY,
Commanding Home Squadron.

Hon. JOHN Y. MASON,
Secretary of the Navy, Washington, D. C.

III. ALSO THE FOLLOWING TREATY OF ANNEXATION MADE IN THE TIME OF KAMEHAMEHA III, WHICH FAILED OF THE KING'S SIGNATURE BY REASON OF HIS DEATH, THE ORIGINAL BEING ON FILE IN THE OFFICE OF THE SECRETARY OF STATE.

[Confidential.]

Treaty of annexation concluded between His Majesty the King of the Hawaiian Islands and the United States of America.

His Majesty the King of the Hawaiian Islands, being convinced that plans have been and still are on foot hostile to his sovereignty and to the peace of his Kingdom, which His Majesty is without power to resist and against which it is his imperative duty to provide in order to prevent the evils of anarchy and to secure the rights and prosperity of his subjects, and having, in conscientious regard thereto as well as to the general interests of his Kingdom, present and future, sought to incorporate his Kingdom into the Union of the United States as the means best calculated to attain these ends and perpetuate the blessings of freedom and equal rights to himself, his chiefs, and his people, and the Government of the United States, being actuated solely by the desire to add to their security and prosperity and to meet the wishes of His Majesty the King of the Hawaiian Islands and of his Government, have determined to accomplish, by treaty, objects so important to their mutual and permanent welfare.

For that purpose His Majesty, Kamehameha III, King of the Hawaiian Islands, has granted full powers and instructions to Robert Chrichton Wyllie, esq., his minister of foreign relations, his secretary at war and of the navy, member of his privy council of state, member of the house of nobles, and chairman of the commissioners of his privy purse, and the President of the United States has invested with like powers David Lawrence Gregg, esq., commissioner of said States to the said Kingdom; and the said plenipotentiaries, after exchanging their full powers, have agreed to and concluded the following articles:

ARTICLE I.

His Majesty, the King of the Hawaiian Islands, acting in conformity with the power vested in him by the constitution of his Kingdom, and with the wishes of his chiefs and people and of the heads of every department of his Government, cedes to the United States his Kingdom, with all its territories, to be held by them in full sovereignty, subject only to the same constitutional provisions as the other States of the American Union. This cession includes all public lots and squares, Government lands, mines and minerals, salt lakes and springs, fish ponds, public edifices, fortifications, barracks, forts, ports, and harbors, reefs, docks, and magazines, arms, armaments, and accouterments, public archives, and funds, claims, debts, taxes, and dues existing, available, and unpaid at the date of the exchange of the ratifications of this treaty.

ARTICLE II.

The Kingdom of the Hawaiian Islands shall be incorporated into the American Union as a State enjoying the same degree of sovereignty as other States, and admitted as such, as soon as it can be done in consistency with the principles and requirements of the Federal Constitution, to all the rights, privileges, and immunities of a State as aforesaid, on a perfect equality with the other States of the Union.

ARTICLE III.

His Majesty the King of the Hawaiian Islands, his chiefs and subjects of every class, shall continue in the enjoyment of all their existing personal and private rights, civil, political, and religious, to the utmost extent that is possible under the Federal Constitution, and shall possess and forever enjoy all the rights and privileges of citizens of the United States on terms of perfect equality, in all respects, with other American citizens.

ARTICLE IV.

The decisions of the Board of Land Commissioners, made and not appealed from at the date of the final ratification of this treaty, shall be and remain forever valid and undisturbed, and all titles to real estate, which are now or shall have then been declared valid under the laws of the Hawaiian Kingdom, shall be held to be equally valid by the United States, and measures shall be adopted by the United States for the speedy and final adjudication of all unsettled claims to land in conformity with the laws and usages under which they may have originated.

ARTICLE V.

All engagements of whatsoever kind, affecting the rights of corporations or individuals, validly construed and lawfully incumbent upon the King's Government or the Hawaiian nation to pay and discharge, shall be respected and fulfilled in as prompt, full, and complete a manner as they would have been respected and fulfilled had no change of sovereignty taken place.

ARTICLE VI.

The public lands hereby ceded, shall be subject to the laws regulating the public lands in other parts of the United States, liable, how-

ever, to such alterations and changes as Congress may from time to time enact. The grants of land for the promotion of education heretofore made by the Government of the King of the Hawaiian Islands, shall be confirmed by the United States, which, in addition thereto, shall grant and set apart, for the purposes of common schools, seminaries of learning, and universities, so much of the public lands and of the proceeds thereof, as may be equal, proportionally, to the grants for such purposes in any of the States of the Union.

ARTICLE VII.

The laws of the Hawaiian Kingdom, so far as they are compatible with republican institutions, and conformable to the Constitution of the United States, shall be and remain in full force and effect until modified, changed, or repealed by the legislative authority of the State contemplated by this treaty.

ARTICLE VIII.

In consideration of the cession made by this treaty, and in compensation to all who may suffer or incur loss consequent thereon, the United States shall pay the aggregate sum of $300,000 as annuities, to the King, the Queen, the Crown Prince, those standing next in succession to the throne, the chiefs, and all other persons whom the King may wish to compensate or reward, to be apportioned as may be determined by His Majesty, the King, and his Privy Council of State, which amounts, to be apportioned as aforesaid, shall be paid ratably, without deduction or offset on any ground or in any shape whatever, to the parties severally named in such apportionment, at Honolulu on the 1st day of July of each successive year so long as they may live. It is, however, expressly agreed upon, that on the demise of his present majesty, the annuity of the immediate heir to the throne shall then be increased to the same amount before allowed and paid to the King himself.

As a further consideration for the cession herein made and in order to place within the reach of the inhabitants of the Hawaiian Islands the means of education, present and future, so as to enable them the more perfectly to enjoy and discharge the rights and duties consequent upon a change from monarchical to republican institutions, the United States agrees to set apart and pay over for the term of ten years the sum of $75,000 per annum, one-third of which shall be applied to constitute the principal of a fund for the benefit of a college or university, or colleges or universities, as the case may be, and the balance for the support of common schools, to be invested, secured, or applied as may be determined by the legislative authority of the Hawaiian Islands when admitted as a state into the Union as aforesaid.

ARTICLE IX.

Immediately after the exchange of the ratifications of this treaty the President of the United States shall appoint a commissioner who shall receive in due form, in the name of the United States, the transfer of the sovereignty and territories of the Hawaiian Islands, also all public property, archives, and other things hereinbefore stipulated to be conveyed, and who shall exercise all executive authority in said islands necessary to the preservation of peace and order and to the proper

execution of the laws until the state contemplated in this treaty can be duly organized and admitted as such state; and until the arrival of such commissioner all departments of His Majesty's Government shall continue as now constituted.

ARTICLE X.

This treaty shall be ratified by the respective high contracting parties and the ratifications exchanged at the city of Honolulu within eight months from the date hereof, or sooner if possible; but it is agreed that this period may be extended by mutual consent of the two parties.

In witness whereof we, the undersigned, plenipotentiaries of His Majesty the King of the Hawaiian Islands and of the United States of America, have signed three originals of this treaty of annexation in Hawaiian and three in English, and have thereunto affixed our respective official seals.

Done at Honolulu, this —— day of ——, in the year of our Lord one thousand eight hundred and fifty-four.

SEPARATE AND SECRET ARTICLE.

Whereas it is desirable to guard against the exigencies declared in the preamble to the foregoing treaty, and to secure the King of the Hawaiian Islands, his chiefs and all who reside under his jurisdiction, from the dangers therein referred to and expressed, it is hereby provided and expressly agreed that at any time before the final exchange of the ratifications of said treaty, if the same shall be duly ratified on the part of His Majesty the King, and satisfactory notice thereof given to the commissioner of the United States, it shall be competent for His Majesty, by proclamation, to declare his islands annexed to the American Union, subject to the provisions of such treaty as negotiated, and the commissioners of the United States for the time being shall receive and accept the transfer of the jurisdiction of the said islands, in the name of the United States, and protect and defend them by the armed forces of the United States as a part of the American Union, holding the same for and in behalf of his Government, and exercising the jurisdiction provided for in said treaty, with the understanding, however, that in case the said treaty is not finally ratified, or other arrangement made, by the free consent and to the mutual satisfaction of the contracting parties, the sovereignty of the islands shall immediately revert, without prejudice, to His Majesty, or his immediate heirs in the same condition as before the transfer thereof; and it is further understood and agreed that this article shall be as binding for all the ends and purposes herein expressed as if it formed a part of the foregoing treaty.

IV. ALSO THE FOLLOWING INSTRUCTIONS FROM HON. W. L. MARCY, SECRETARY OF WAR, TO MAJ. GEN. WINFIELD SCOTT, COMMANDING THE ARMY OF THE UNITED STATES IN MEXICO.

WAR DEPARTMENT,
Washington, D. C., January 18, 1894.

SIR: As requested in your letter of the 13th instant, I have the honor to transmit herewith a copy of a confidential letter, dated April 14, 1847, addressed by the Secretary of War to Maj. Gen. Winfield

Scott, commanding U. S. Army in Mexico, and advising him that Nicholas P. Trist, esq., has been commissioned by the President of the United States to proceed to the headquarters of the Army in Mexico, or to the naval squadron, for the purpose of receiving any proposal which the enemy may make for peace with the United States, and informing Maj. Gen. Scott as to the diplomatic powers with which Mr. Trist is clothed under his instructions.

Attention is invited to House Ex. Doc. No. 56, Thirtieth Congress, first session, "Correspondence between the Secretary of War and Generals Scott and Taylor, and between Gen. Scott and Mr. Trist," which contains all the information in possession of this Department on the subject.

Very respectfully,

DANIEL S. LAMONT,
Secretary of War.

Hon. JOHN T. MORGAN,
Chairman Committee on Foreign Affairs, U. S. Senate.

[Confidential.]

WAR DEPARTMENT,
Washington, April 14, 1847.

Maj. Gen. WINFIELD SCOTT,
Commanding the Army of the United States, Mexico:

SIR: The signal successes which have attended our military operations since the commencement of the present war would seem to justify the expectation that Mexico will be disposed to offer fair terms of accommodation. With a view to a result so desirable, the President has commissioned Nicholas P. Trist, esquire, of the State Department, to proceed to your headquarters, or to the squadron, as to him may seem most convenient, and be in readiness to receive any proposal which the enemy may see fit to make for the restoration of peace.

Mr. Trist is clothed with such diplomatic powers as will authorize him to enter into arrangements with the Government of Mexico for the suspension of hostilities. Should he make known to you, in writing, that the contingency has occurred in consequence of which the President is willing that further active military operations should cease, you will regard such notice as a direction from the President to suspend them until further orders from this Department, unless continued or recommenced by the enemy; but, in so doing, you will not retire from any place you may occupy, or abstain from any change of position which you may deem necessary to the health or safety of the troops under your command, unless, on consultation with Mr. Trist, a change in the position of your forces should be deemed necessary to the success of the negotiation for peace. Until hostilities, as herein proposed, shall be intermitted, you will continue to carry on your operations with energy, and push your advantages as far as your means will enable you to do.

Mr. Trist is also the bearer of a dispatch to the Secretary of Foreign Affairs of the Government of Mexico, in reply to one addressed to the Secretary of State here. You will transmit that dispatch to the commander of the Mexican forces, with a request that it may be laid before his Government, at the same time giving information that Mr. Trist, an officer from our Department for Foreign Affairs, next in rank to its

chief, is at your headquarters, or on board the squadron, as the case may be.

You will afford Mr. Trist all the accommodation and facilities in your power to enable him to accomplish the objects of his mission.

Very respectfully, your obedient servant,

W. L. MARCY,
Secretary of War.

P. S.—Should a suspension of hostilities take place, you will lose no time in communicating the fact to Maj. Gen. Taylor.

V. ALSO THE FOLLOWING TREATY OF RECIPROCITY BETWEEN THE UNITED STATES AND HAWAII, DATED AND SIGNED THE 20TH OF JULY, 1855, BUT WHICH WAS NOT RATIFIED BY THE SENATE.

[Confidential. Executive, No. 7. Special session.]

TREATY BETWEEN THE UNITED STATES AND HIS MAJESTY THE KING OF THE HAWAIIAN ISLANDS.

March 9, 1857, on motion by Mr. Mason, referred to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

The United States of America and His Majesty the King of the Hawaiian Islands, equally animated by the desire to strengthen and perpetuate the friendly relations which have heretofore uniformly existed between them, and to consolidate their commercial intercourse, have resolved to enter into a convention for commercial reciprocity. For this purpose the President of the United States of America has conferred full powers on William L. Marcy, Secretary of State, and His Majesty the King of the Hawaiian Islands has conferred like powers on the honorable William Little Lee, chancellor and chief justice of the supreme court of those islands, a member of his Hawaiian Majesty's privy council of state and cabinet, president of the board of land commissioners, and His Majesty's envoy extraordinary and minister plenipotentiary to the United States of America.

And the said plenipotentiaries, after having exchanged their full powers, which were found to be in due form, have agreed to the following articles:

ARTICLE I.

For and in consideration of the rights and privileges granted by His Majesty the King of the Hawaiian Islands in the next succeeding article of this convention, and as an equivalent therefor, the United States of America hereby agree to admit all the articles named in the following schedule, the same being the growth or produce of the Hawaiian Islands, into all the ports of the United States of America free of duty:

Schedule.

Muscovado, brown, clayed, and all other unrefined sugars.
Sirups of sugar; molasses.
Coffee; arrowroot.
Live stock and animals of all kinds.
Cotton, unmanufactured.
Seeds, and vegetables not preserved
Undried fruits not preserved.

Poultry; eggs.
Plants, shrubs, and trees.
Pelts; wool, unmanufactured.
Rags.
Hides, furs, skins, undressed.
Butter; tallow.

ARTICLE II.

For and in consideration of the rights and privileges granted by the United States of America in the preceding article of this convention, and as an equivalent therefor, His Majesty the King of the Hawaiian Islands hereby agrees to admit all the articles named in the following schedule, the same being the growth or produce of the United States of America, into all the ports of the Hawaiian Islands free of duty:

Schedule.

Flour of wheat.
Fish of all kinds.
Coal.
Timber and lumber of all kinds, round, hewed, and sawed, unmanufactured, in whole or in part.
Staves and heading.
Cotton, unmanufactured.
Seeds, and vegetables not preserved.
Undried fruits, not preserved.
Poultry; eggs.
Plants, shrubs, and trees.
Pelts; wool, unmanufactured.
Rags.
Hides, furs, skins, undressed.
Butter; tallow.

ARTICLE III.

The evidence that articles proposed to be admitted into the ports of the United States of America or the ports of the Hawaiian Islands free of duty, under the first and second articles of this convention, are the growth or the produce of the United States of America or of the Hawaiian Islands shall be a certificate to that effect from the American or Hawaiian consul or consular agent of the port from which such articles are exported, or, in case there shall be no such consul or consular agent resident in such port, a certificate to that effect from the collector of the port.

ARTICLE IV.

The present convention shall take effect as soon as the law required to carry it into operation shall have been passed by the Congress of the United States of America and the convention shall have been approved by His Majesty the King of the Hawaiian Islands in council. The convention shall remain in force for seven years from the date at which it may go into operation, and further, until the expiration of twelve months after either of the high contracting parties shall give notice to the other of its wish to terminate the same, each of the high contracting parties being at liberty to give such notice to the other at the end of the said term of seven years, or at any time afterwards.

ARTICLE V.

The present convention shall be duly ratified, and the ratifications shall be exchanged at Honolulu within eighteen months from the date hereof, or earlier if possible.

In faith whereof the respective plenipotentiaries have signed this convention, and have hereunto affixed their seals.

Done, in triplicate, in the English language, in the city of Washington, this twentieth day of July, anno Domini one thousand eight hundred and fifty-five.

W. L. MARCY. [SEAL.]
W. L. LEE. [SEAL.]

[Confidential. Executive, No. 7. Thirty-fourth Congress, first session.]

Message of the President of the United States, communicating a treaty between the United States and the King of the Hawaiian Islands.

January 3, 1856, read first time, and, on motion by Mr. Mason, referred to the Committee on Foreign Relations.
January 10, 1856, ordered to be printed in confidence for the use of the Senate.

To the Senate of the United States:

I transmit to the Senate for consideration, with a view to ratification, a treaty between the United States and His Majesty the King of the Hawaiian Islands, signed in Washington, the twentieth day of July, A. D. 1855.

FRANKLIN PIERCE.

WASHINGTON, *December 27, 1855.*

VI. ALSO THE FOLLOWING REPORT ON THE PHYSICAL FEATURES, FACTS OF LANDING, SUPPLIES, CLIMATE, DISEASES, ETC., OF THE HAWAIIAN ISLANDS, PREPARED BY CAPT. GEORGE P. SCRIVEN, OF THE SIGNAL CORPS, ASSISTED BY LIEUT. J. Y. MASON BLUNT, OF THE FIFTH CAVALRY, WITH THE ACCOMPANYING MAPS.

Report on the physical features, ports of landing, supplies, climate, diseases, etc.

[Compiled from the best available sources for the information of the Army.]

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Report on the Hawaiian Islands.

The Hawaiian Islands lie between parallels 18° 50′ and 23° 5′ north latitude, and between meridians 154° 40′ and 161° 50′ west from Greenwich. A line drawn through the axis of the group would approximate roughly the segment of a circle convex towards the northeast; the chord connecting the most widely separated points would have a length of about 400 statute miles.

Honolulu, the capital and chief city, lies 2,080 miles from San Francisco; approximately 3,800 miles from Auckland; 4,500 miles from Sydney; and 4,800 miles from Hongkong.

Mean time Honolulu noon is equivalent to 10h. 31m. 26s. Greenwich mean time.

COMMUNICATIONS WITH THE UNITED STATES.

San Francisco to Honolulu.—The *Australia* of the Oceanic Steamship Company and the *Zealandia* (W. J. Irwin) leave San Francisco and return every other Tuesday.

The Oceanic Steamship Company's steamers *Alameda*, *Mariposa;* and the Union Steamship Company's steamer *Monowai*, leave San Francisco for New Zealand via Honolulu once a month.

Time.—San Francisco to Honolulu, seven days.

Sailing vessels, with good passenger accommodations, run regularly from San Francisco to Honolulu.

Sailing time.--San Francisco to Honolulu, ten to eighteen days.

Pacific mail steamers, San Francisco to China and Japan, stop at Honolulu every other trip.

"A new company sends its first steamer this month (February, 1893), from Tacoma and Seattle to Honolulu. Steamers of the Occidental and Oriental line to China and Japan [N. Y. Tribune, February 16] are due to stop at Honolulu."

Steamers of the Oceanic and Pacific Mail companies are under the United States flag.

POSITION, AREAS, AND GEOGRAPHICAL FEATURES.

The strategic value of the islands and their geographical position are indicated on the accompanying chart (A). In general the islands are mountainous, covered with verdure, and in parts, especially of Hawaii, possessing very considerable areas of forest, whose vegetation is that of the tropics.

The Hawaiian group is composed of eight inhabited, and of four uninhabited islands. [Chart B.] The names and dimensions of the inhabited islands are:

Name.	Length.	Breadth.	Area.
	Miles.	*Miles.*	*Square miles.*
Hawaii	90	74	3,950
Oahu	46	25	530
Maui	48	30	620
Kauai	25	22	500
Molokai	40	7	190
Lanai	17	9	100
Niihau	20	7	90
Kahulaui	11	8	60

The first five of these islands contain the bulk of the population as well as the chief industries.

Three of the four uninhabited islands of the group are Kaula, Lenua, and Molokini.

The total area of the inhabited islands is about 6,040 square miles.

"All of these islands are volcanic. No other rocks than volcanic are found upon any of them, excepting a few remnants of raised sea beaches composed of consolidated coral sands. All the larger ones are very mountainous.

"The culminating points of the island Hawaii are Mauna Kea, 13,900 feet, and Mauna Loa, 13,700 feet," the highest points of the group.

"In general the island group consists of the summits of a gigantic submarine mountain chain, projecting its loftier peaks and domes above the water."*

On the island of Hawaii the volcanic forces are still in operation; on the other islands they are extinct.

None of the mountains are of sufficient height to reach the line of eternal snow.

*See Hawaiian volcanoes, Capt. C. E. Dutton, U. S. A. Capt. (now Major) Dutton adds: "Mauna Loa and Mauna Kea, referred to their true bases at the bottom of the Pacific, are therefore mountains not far from 30,000 feet in height." Maj Dutton is frequently quoted in the following paragraphs relating to the physical characteristics of the islands.

SOIL.

"Only a small proportion of the area of the islands is capable of sustaining a dense population. The most habitable tracts are near the seacoast, and only a part or even a small part of these are really fertile.

"The interior portions are mountainous and craggy, with a thin soil, admirable in a few localities for pasturage, but unfit for agriculture.

"Many parts of the shore belt are arid and almost barren. Others are covered with lavas too recent to have permitted the formation of soil, and still others are trenched with ravines so deep and abrupt that access is difficult.

"Deep rich soils at altitudes adapted to the growth of the sugar cane probably form less than the fortieth part of the entire area.

"Shallower soils, however, are a little more extensive and yield other crops of tropical staples in abundance."

CLIMATE.

The climate of the Hawaiian Islands is warm but salubrious, the temperature equable, and the sky usually clear. In the shade it is never hot and seldom chilly, and there is so little humidity in the air that it is rarely sweltering, though during the months of January, February, and March the wind blows strongly from the southwest, and the atmosphere is damp and unpleasant. After such seasons the arid westerly slopes are clothed with verdure and the capacity of the pastures vastly increased.

"Upon the islands themselves it may be said that there are almost as many climates as there are square leagues, and the differences of climatic conditions exhibited by localities separated only half a dozen miles are extreme.

"As a general rule the windward sides are excessively rainy, the precipitation frequently exceeding 200 inches in a year. The leeward sides are generally arid, but to this there are some striking exceptions; whenever the land barrier is low enough to permit the trade winds to blow over it the lee of the barrier is invariably dry and sometimes is as parched and barren as the sage plains of the Rocky Mountains; the winds throw down their moisture copiously as they rise to the dividing crest and descend hot and dry; but when the barrier is lofty enough to effectually oppose the drift of the air, the lee becomes subject to the simple alternation of daily land and sea breeze. As the sea breeze comes in and ascends the slope it sends down rain; as the land breeze floats down ward and outward it is dry and clear.

"The sea breeze sets in a little before noon and the land breeze goes out a little before midnight.

"Relatively to human comfort, the climate is perfection. It is never hot, and at moderate altitudes it is never cold. The heat of summer is never sufficient to bring lassitude, and labor out of doors is far more tolerable than in the summer of New England or Minnesota."

When the mountains are low, as in Oahu, the rains extend over them and maintain copious streams for irrigation of the leeward lands where little rain falls. Very much more rain falls on the windward northeast sides of the large islands. At Hilo in Hawaii as much as 20 feet has been measured in one year. At Honolulu the mean annual rainfall for five years ending 1877 varied from 32·30 to 46·40 inches, giving an average of 38 inches.

Hurricanes and typhoons are said to be infrequent. There is, however, at Kawaihae, in the island of Hawaii, a wind called the *mumuka* which rushes violently down between the mountains, and is dangerous to shipping. When hurricanes occur on the island of Maui, great damage to the sugar crop ensues.

The temperature varies from 55° in winter to 70° in summer for the early mornings, and attains an average maximum of 75° in the winter and 85° in the summer for afternoon heats.

There is no rapid, sudden change; cold or hot waves are unknown.

During the heat of the day the sun-heated lava and rocks create a strong draft, loaded with vapor from the ocean; this vapor, at 2,000 feet elevation, forms a continuous cloud bank, covering the mountains.

Hail sometimes falls in the vicinity of Hawaii.

Table from Pacific Coast Commercial Record showing temperatures in Honolulu:

Maximum temperature for 1891 in Honolulu	89°
Minimum temperature for 1891 in Honolulu	54°
Maximum daily range of the year	22°
Average weekly maximum from July 1, to October 1	86°

Table from "Vistas of Hawaii" showing temperature for 1890:

Date.	6 a. m.	1 p. m.	9 p. m.
	°	°	°
January 7	67	77	69
February 4	68	72	69
March 4	66	76	69
April 1	67	78	71
May 6	69	78	70
June 3	73	78	74
July 1	73	82	75
August 5	72	84	75
September 2	72	83	75
October 7	75	81	76
November 4	71	80	72
December 2	69	78	72

From the above it is evident that the climate of the Hawaiian Islands is in general that of a mild summer. The hottest months are July and August, when the thermometer sometimes rises to 90°, but this is considered unusual. Frost is unknown; rains are warm; and the days and nights are of so nearly the same temperature that little daily change of clothing is necessary.

EARTHQUAKES.

Earthquakes are of common occurrence in the islands, but they usually have their center of disturbance in Hawaii. In the islands to the northwestward the shocks are infrequent and feeble. The shocks are seldom of a very alarming or destructive character, but small or moderate tremors are frequent.

POPULATION.

The total population of the Hawaiian Islands in 1890* was 89,990, of which 58,714 are males, 31,276 females.

* Statesman's Year Book, 1893.

Latest official census of the Hawaiian Islands.

[Taken December 28, 1890.]

BY DISTRICTS AND ISLANDS.

Hawaii:	
Hilo	9,935
Puna	834
Kau	2,577
North Kona	1,753
South Kona	1,812
North Kohala	4,303
South Kohala	538
Hamakua	5,002
	26,754
Maui:	
Lahaina	2,113
Wailuku	6,708
Hana	3,270
Makawoo	5,266
	17,357
Molokai	2,632
Lanai	174
Oahu:	
Honolulu	22,907
Ewa	2,155
Waianae	903
Waialua	1,286
Koolauloa	1,444
Koolaupoko	2,499
	31,194
Kauai:	
Waimea	2,523
Niihau	216
Koloa	1,755
Kawaihau	2,101
Hanalei	2,472
Lihue	2,792
	11,859

BY NATIONALITY—1890 AND 1884 COMPARED.

	1890.	1884.		1890.	1884.
Natives	34,436	40,014	Norwegian	227	392
Half-castes	6,186	4,218	Britons	1,344	1,282
Chinese	15,301	17,937	Portuguese	8,602	9,377
Americans	1,928	2,066	Germans	1,034	1,600
Hawaiian-born, foreign parents	7,495	2,040	French	70	192
Japanese	12,360	116	Other foreigners	419	416
			Polynesian	588	956

Total population 1890	89,990
Total population 1884	80,578

Population by nationality and sex of the Hawaiian Islands, and also of the principal township districts.

[Compiled from the latest census, 1890.]

Nationalities.	Honolulu, Oahu.	Wailuku, Maui.	Lahaina, Maui.	Hilo, Hawaii.	Lihue, Kauai.	Population whole islands.
Natives, males	4,494	1,260	687	1,076	411	18,364
females	4,068	1,178	599	900	310	16,072
Half-castes, males	1,257	267	199	175	49	3,085
females	1,346	248	101	189	61	3,101
Chinese, males	3,950	1,202	89	1,264	347	14,552
females	457	33	5	19	9	779
Hawaiian-born, foreign parents, males	1,250	254	41	537	203	3,909
females	1,236	215	39	513	177	3,586
Americans, males	767	65	15	90	11	1,298
females	431	23	11	27	7	630
British, males	529	53	7	68	8	982
females	267	5	4	16	2	362
Germans, males	261	29	7	27	163	729
females	105	5	.....	7	108	305
French, males	25	7	.....	4	.....	46
females	23	.....	.....	.....	.....	24
Portuguese, males	933	402	29	869	237	4,770
females	799	326	24	686	195	3,832
Japanese, males	277	842	249	2,703	363	10,079
females	111	183	40	708	60	2,281
Norwegians, males	55	31	.....	.....	6	155
females	21	11	.....	.....	6	72
Polynesians, males	49	22	33	22	23	404
females	23	14	15	8	17	184
All others, males	151	36	7	27	16	371
females	22	32	2	.....	3	48
Total	22,907	6,708	2,113	9,935	2,792	89,990

CHARACTERISTICS, RELIGION, EDUCATION.

The natives are a good-tempered, light-hearted, pleasure-loving people. It is probable that little difficulty is found in governing them as, of themselves, they are not inclined to turbulence nor disposed to revolt against any form of government. Like children, they are easily led and controlled. Even when the Hawaiian Islands were discovered, the people were by no means savages, but had an organized state of society. After discovery, civilization made progress as rapidly, it is said, with these people as with the Japanese; and in twenty-five years after the landing of the missionaries (1820), the whole people had, in a great measure become Americanized. But to-day, except politically as the one-time owners of the islands, the natives are but an unimportant element of the people and their consent or opposition could have but little influence upon the course of events. They are a peace-loving race, and, in a military sense, are not worth consideration, but they are brave individually and make, it is said, excellent seamen. Little resistance could be anticipated from them even in defense of their country.

RELIGION.

All forms of religion are tolerated. According to the latest statistics there are:

Protestants	29,685
Roman Catholics	20,072
Mormons	3,576
Hebrews, less than	100

EDUCATION.

Education is general.

There are 178 schools, with 10,000 pupils, of whom 5,559 are natives and 1,573 half-castes. In 1890–'92 $326,922 was allotted for public instruction. (Sum allotted for public instruction, 1892–'94, $210,600. Statesman's Year Book, 1893.)

LAWS

The laws are modeled on those of the United States. There is a supreme court of justice, and, in addition, circuit judges and justices of the peace.

MILITARY FORCES AND POLICE.

The military forces authorized by law consist of the household guards, fixed at 65 men. It is reported that all but 16 of these men have been discharged, that number being retained as a guard for the deposed queen (February, 1893). Volunteer military organizations are prohibited by law.

There is also an organized police force.

LANGUAGE.

The language is very largely made up of vowels, giving to the spoken tongue a pleasant liquid sound somewhat difficult to acquire. The consonants all have the English sound, the vowels that of the German

vowels, except *i*, which is the same as the German *ie*. There are no silent letters in the written Hawaiian language.

English is very generally spoken throughout the group.

GOVERNMENT.

Under the great chief Kamehameha the islands of the Hawaiian group became consolidated into a kingdom about the beginning of the present century, and continued, with occasional interference from European powers, as an independent nation under the rule of the descendents of the first great chief.

At the beginning of the present year the Government was a constitutional monarchy, ruled by a queen aided by a cabinet consisting of 4 ministers, and by a legislature composed of 24 members of the house of nobles and 24 representatives. These, with the ministers, made a total of 52. Members of both houses were elected by a popular vote. An educational qualification was necessary for all voters, and a property qualification for electors for nobles. In January of this year the revolution occurred which resulted in the present Provisional Government.

BUSINESS.

Business is almost entirely carried on by foreigners, principally Americans, British, Germans, and Chinamen. Many of the principal offices are filled by foreigners or by native-born whites.

CURRENCY.

Gold and silver coins of all nations are current as legal tender at real or nominal value. From 1884 only United States gold coins have been legal tender for more than $10; no paper money exists excepting in form of treasury certificates for coin deposited.

FINANCE.*

The budget is (was) voted for a biennial period. The following table shows the revenue and expenditures in dollars for the last five financial periods:

	1882–'84.	1884–'86.	1886–'88.	1888–'90.	1890–'92.
Revenue	$3,092,085	$3,010,655	$4,812,576	$3,632,197	$4,408,033
Expenditures	2,216,406	2,988,722	4,712,285	3,250,510	4,095,891

The revenue is largely derived from customs ($1,204,305, 1890–'92) and internal taxes ($963,495, 1890–'92), while the largest item of expenditure was for the interior ($1,641,848, 1890–'92). The debt, March, 1892, was:

Bonded debt	$2,314,000
Due depositors' postal-savings bank	903,162

Interest varies from 5 to 12 per cent.

* Statesman's Year Book, 1893.

COMMERCE—EXPORTS AND IMPORTS.

Sugar and rice are the staple industries, while coffee, hides, bananas, and wool are also exported.

The following table shows the commerce and shipping for five years:

Years.	Imports.	Native exports.	Customs receipts.	Ships entered.	Tonnage.
1887	$4,944,000	$9,435,000	$595,000	254	210,703
1888	4,541,000	11,631,000	546,000	246	221,148
1889	5,439,000	14,040,000	550,000	288	223,567
1890	6,962,000	13,143,000	696,000	295	230,120
1891	7,439,000	10,259.000	660,000	310	284,155

The chief exports in 1891 were:

Sugar	pounds..	274,983,580
Rice	do....	4,900,450
Bananas	bunches..	116,660
Wool	pounds..	97,119

The imports are mainly groceries, provisions, clothing, grain, timber, machinery, hardware, and cotton goods.

Ninety-one per cent of the trade is with the United States.*

PRODUCTS, RESOURCES, VEGETATION.

Besides sugar and rice, the staple products, coffee, bananas, oranges, and other fruits are largely grown. Food products are abundant, especially of the kind suitable to a hot climate.

The native food consists largely of the taro plant, of which the best varieties are grown in shallow ponds of fresh water. It is stated that about 40 square feet of taro will yield enough to supply one man for a year, this being his principal food. From this plant is made the *poi*, which is the ordinary food of the Kanaka.

The sweet potato grows even amongst the rocks and flourishes abundantly in good soil, while the common potato sometimes grows well, though is often injured by worms.

Wheat and corn are grown; the former was once cultivated for export. Flour is made, but it is said that the islands now receive all their cereal products from California.

The quality of the coffee raised is said to be equal to the choicest.

The climate is also very favorable to the growth of the long staple sea-island cotton; but as this variety must be picked by hand the high price of labor in the islands renders its culture unprofitable.

Tropical fruits of nearly all kinds grow in the greatest abundance, the orange, lemon, lime, mango, pineapple, chirimoya or custard apple, the alligator pear, pomegranate, and guava, all of which are exotic.

The banana is indigenous, and is the most abundant of all fruits; besides it there are the ohia apple—a fruit peculiar to the Pacific islands, soft, juicy, and mildy acid—many varieties of palms, the choicest trees of India, the caoutchouc, the papaya, the traveler's tree of Madagascar, and other foreign plants.

INDUSTRIES.

"The chief industry of the islands is the cultivation of sugar cane. For this the soil (although the area is limited) seems better adapted

*Statesman's Year Book, 1893.

than any other in the world. The yield will average about 5,000 pounds of sugar to the acre, and choice fields sometimes yield twice that amount. Large amounts of American capital have been invested in the plantations and in the accessory commerce."

Large flocks of sheep and herds of cattle are found. These animals are raised chiefly for their wool and hides. On the island of Lanai great flocks of sheep pasture, while in Hawaii considerable numbers of wild cattle are still found in the mountains;* wild goats and wild hogs also exist in great numbers, and it is said that wild horses and asses are also found.

DISEASES (OTHER THAN LEPROSY).

It is asserted that diseases, other than leprosy, are not as troublesome as in most places considered healthful. Malarial fevers are thought to be infrequent, nevertheless in the monthly table (March, 1891) the greatest number of deaths for the year, 89, is recorded as due to "fever."

Consumption (probably imported cases) comes next with 74; "old age" next with 59. Amongst the other more important causes of death are diarrhea, 29; dysentery, 15. From diseases of the liver but 2 died, while 25 died of disease of the heart.

From this it would seem that the diseases common to the tropics—fever and stomach troubles—are to be guarded against. Rheumatism is prevalent in many of the damper localities; smallpox occasionally appears; and measels has on one or two occasions carried off many of the natives, owing to their manner of life, but this disease is now easily controlled when it makes its appearance. Lung and chest troubles are almost unknown to natives of the islands. In fact, the Hawaiian Islands are regions of unusual healthfulness.

The general health of the natives is steadily improving; leprosy, now largely under medical control, is gradually being stamped out. (*See* Leprosy.)

MANNER OF LIFE, CLOTHING.

The whites live, of course, much as they live at home, and usually in well-constructed houses of European style. The natives live as a rule in grass huts, upon native food, largely taro and fruit, and wear clothing of light cotton stuff, a straw hat, but shoes rarely.

Woolens are not in general use, but very light flannels are recommended for strangers at all seasons.

At night blankets are rarely needed, but a light blanket is often comfortable. Houses have no fireplaces.

For troops clothing for all seasons should be light flannel drawers and shirts, wide straw hats or helmets, and the light quality of outer garments issued to troops on the southern stations.

Ample tentage should be provided for use in localities where heavy and sudden rainfalls are frequent, and light blankets should be carried.

The ration should be suited to the requirements of a warm climate.

*Descended from the animals introduced by Vancouver in 1792.

INDIVIDUAL CHARACTERISTICS OF THE EIGHT INHABITED ISLANDS OF THE HAWAIIAN GROUP.

ISLAND OF OAHU (Map C).

This island has the form of an irregular quadrangle; it lies 23 miles northwest of the nearest island of the group, Molokai. Length about 46, breadth about 25 miles.

Oahu, though not the largest, is the most important of the Hawaiian group, as it contains Honolulu, the capital, chief seaport, and principal city.

Coast.—The greater part of the island is surrounded by a coral reef often half a mile wide.

The windward side of the island presents a gigantic cliff hardly accessible, except at one point reached by a road cut with great labor from the mountain side; but the leeward side descends from the mountain to the sea in very moderate slopes deeply cut by ravines.

The northeastern coast of the island is generally a rugged plateau descending by gentle slopes to the water. When viewed from the ocean, this coast appears to be formed of detached hills rising steeply and covered with woods. The intervening valleys are fertile and well cultivated. From the southeast extremity of the island, called Makapuu Point, to the Mokapu Peninsula, the coast is often marked by scattered islets and rocks; and beyond, the peninsula is indented by a considerable bay extending to Kaoio Point, thence to Kahuku, the northern point of Oahu. Along this part of the coast is a narrow strip of land, varying from a half to 2 miles in breadth, only a few feet above the level of the sea. It is very fertile, and has a gradual ascent to the foot of the mountains.

From Kahuku to the village of Waimea lies a level plain from 2 to 6 miles wide, and but slightly above the level of the sea. It is a good pasture, and at many of its frequent holes and crevices may be seen streams of clear and cool fresh water making their subterranean way from the mountains to the outlets in the sea below low-water mark.

The southwest side of the island is composed chiefly of craggy mountains, some descending abruptly to the sea, others terminating a small distance from it; thence a low border of land extends to a shore formed by sandy beaches, bounded by rocks on which the surf beats heavily.

The southwest extremity is Laeloa, or Barber Point; thence the shore continues low, flat, and covered with bushes to the entrance of Pearl River, about 12 miles from Honolulu.

Some of the land in this vicinity is of extreme fertility.

Interior.—Two parallel ranges of hills traverse Oahu from southeast to northwest, separated by a low plain. The highest point is Kaala, 4,060 feet, in the west range. The east range is much longer than the other, and its ridge is very broken; lateral spurs extend from many ravines on the land side, but for 30 miles on the other side the range presents to the sea a nearly vertical wall without a break. There are few craters in the loftier heights; volcanic activity seems to have ceased; but several groups of small cones with craters, some of lava, some of tufa, exist. Valleys are numerous, with lateral ravines, in which water courses and cascades are found.

A chain of mountains rises near the center of the east part of the island to 3,175 feet, and descends near the middle into the Ewa Plain, which divides this range from the distant and elevated mountains that

rise in a line parallel with the southwest shore. The Ewa Divide lies 5 miles west of Honolulu. This Ewa Plain is nearly 20 miles in length from Pearl River to Waialua, and in some parts is 9 or 10 miles across; its soil is fertile, and watered by a number of rivulets running along deep water courses emptying into the sea.

Plain of Honolulu.—This plain is some 10 miles in length, and in some parts 2 miles in width from the sea to the foot of the mountains. The whole plain is covered with rich, alluvial soils, in places 2 or 3 feet deep. Under this lie volcanic ashes and cinders 14 to 16 feet deep, resting on a stratum of solid nonvolcanic rock, a kind of sediment deposited by the sea, in which branches of white coral, bones of fish and animals, and several varieties of marine shells have been found. A number of wells have been dug to a depth of 12 to 13 feet in the substratum of rock, always reaching good clear water, which, though free from salt or brackish taste, rises and falls with the tide.

Inland from Waikiki, near Honolulu, and reached by the Punahou road, lies the Manoa Valley, whose upper portion divides into numerous canyons.

There is a broad valley called Nuuanu, bounded by a mountain wall 20 miles in length, which rises from the green, rolling plain below.

Less than 5 miles from Honolulu, in a westerly direction, lies the valley of Moanalua. Here are fine rice fields, cocoanut groves, and fish ponds.

In the district of Waianae the bases of the mountain lie farther from the sea and a narrow valley, presenting a fertile and cultivated aspect, seems to wind for some distance through hills.

In the Waialua bay district the soil is sandy and poor, but a short distance inshore an agreeable change takes place.

CITIES, TOWNS, AND PORTS, OAHU.

Honolulu.

Honolulu is the capital and principal port of the Hawaiian Islands, and is situated on the south side of Oahu, on a narrow plain at the foot of the eastern range of mountains.

The aspect of the country around Honolulu, as seen from the roads, is barren; and the plain on which the town stands is destitute of verdure. This plain extends east and west from the town, while behind it the land rises gradually towards the Nuuanu Valley. Several crater-shaped hills are in sight, one of which, named Punch Bowl Hill, 498 feet high, lies close to the northeast side of the town.

The central part of Honolulu consists of regularly laid out streets, on either side of which stand houses and warehouses of European style, frequently placed within spacious, inclosed gardens. The outer portions of the town are chiefly composed of grass huts inhabited by natives. Honolulu would, probably, burn easily to the ground.

Amongst the principal buildings are the spacious Government houses, in which all the public offices are inclosed, the King's palace, a fort, two hospitals, several churches and chapels belonging to the different religious denominations, custom house, sailors' home, and several schools.

Hospitals.—There is a quarantine hospital on the west side of the harbor, and a good general hospital to which sailors and others are admitted at $1.25 per diem.

Shops.—There are foundries, workshops, and shipyards, where considerable repairs can be effected.

Patent slip.—A patent slip has been constructed by the Government on the east side of the harbor opposite the outer light-house. This slip can take a vessel of 1,700 tons.

The harbor is formed by an opening in the coral reef, about 150 yards wide at the entrance and 300 yards wide off the town, and rather more than a mile in length. Though small it is capable of accommodating a good number of vessels. Depth on bar is 30 feet.

Wharves.—The railway crosses the flats on the north side of the harbor and terminates at two wharves, with 19 feet of water alongside each of them. The west wharf is used by ships.

There is in the harbor altogether 1,900 feet of wharf frontage, with a depth of 21½ feet, and 700 feet with depths of from 17 to 19 feet, and about 1,200 feet with less depth.

Tides.—The tidal streams are regular, running six hours each way. The flood is to the westward. Springs rise from 2½ to 3 feet.

Supplies.—Supplies of all kinds are plentiful. Beef, mutton, fowls, eggs, vegetables, and fruit can be obtained at moderate prices.

Water can be procured from the shore in a tank. It is good, but very expensive, even in the inner anchorage being $2.50 a ton. This for ships.

Implements and building materials (with the exception of timber, which is good and moderate in price) are excessively costly in Honolulu. The demand for and sale of articles required for the equipment of ships have greatly diminished.

Probably material for repair of arms, equipments, and munitions of troops could be obtained with difficulty, or not at all.

Water and lighting.—Honolulu has an abundant supply of excellent water—pure, free from limestone or alkali, soft, and adapted to all the uses of the city. It is brought from reservoirs at the upper end of the lovely Nuuanu Valley, and conveyed by pipes through the business and principal residence districts. The city is lighted by electricity, the power for the generation of which is derived from the reservoirs referred to. Both the water and lighting systems are controlled by the Government.

Coal.—Welsh or Australian coal of good quality can be obtained from European firms. About 15,000 tons is the quantity generally kept in stock.

Climate.—The climate of Honolulu is generally very pleasant and healthful, especially when the northeast trade wind prevails. The southerly and southwesterly winds are called by the natives the "sick winds," because they are followed by small ailments, gastric maladies, and intermittent fevers, as is the case with the sirocco in Europe.

The following table* gives meteorological observations taken at Honolulu, 1876:

Months.	Mean thermometer.		Rain days.	Prevailing winds.
	Noon.	Midnight.		
January	78	70	16	NE., force 8, maximum.
February	78	69	10	NE., force 3, average.
March	75	72	15	S., force 3, calm at night.
April	77	71	15	NE., force 4, light at night.
May	79	72	11	NE., force 4.
June	80	73	5	NE., force 3.
July	80	75	13	NE., calm at night.
August	81½	75	15	NE.
September	81	75	5	NE., 21 days; SE., 9 days.

* Pacific islands. Sailing directions. Admiralty.

The barometer generally falls below 30 during southerly winds.

Population.—Honolulu has a population of 23,000 or 24,000, of various nationalities, consisting principally of whites, natives, Chinese, and Portuguese. Of these the whites are the controlling element in commercial, manufacturing, and general affairs, though there are several business houses in the hands of the Chinese. The Portuguese are chiefly engaged in manual labor.

The most intelligent class of Hawaiians are employed in government or commercial positions; of the lower classes of the natives some are laborers; others exist by fishing, farming, and various occupations.

Of the whites, Americans or those of American descent largely predominate in numbers and influence, though those of German and British extraction are very prominent.

Horses, carriages, etc.—Hacks are very common in Honolulu. They are stationed at the corners of all the main thoroughfares, and the fare to any part of the city is 25 cents. The horses in use are said to be superior to those of many large cities. There are four livery stables, well equipped with saddle and carriage animals.

Hotels.—The Royal Hawaiian has accommodations for 150 guests, electric lights, electric bells, water from artesian wells; Eagle hotel; Arlington; Waikiki Villa, at Waikiki, 3 miles from Honolulu, connected by tram cars from Honolulu.

Tram cars.—About 12 or 14 miles of tram-car lines exist. These cars are drawn by mules or horses. The cars are of American make.

Telephones.—There is said to be an excellent system of telephonic communication; two companies; rates low; 1,300 telephones in use.

Public buildings.—Iolani Palace, in King street, said to have cost $500,000.

Aliiolani hall, the main Government building, in which the Legislature meets.

The Queen's hospital, intended for the relief of afflicted Hawaiians of both sexes, gratis.

The opera house, seating capacity 1,000.

The Lunalilo home, a home for aged Hawaiians.

The insane asylum, from 50 to 75 inmates.

The Oahu jail. Prisoners are required to do road work and other labor in and around Honolulu.

The fish market.

The Royal Mausoleum.

Honolulu Free Library, contains 10,000 volumes, on general subjects.

Young Men's Christian Association building.

Post-office building.

Police station house for the reception of petty offenders.

Current publications.—Pacific Commercial Advertiser, frequency of publication unknown.

The Hawaiian Gazette, a weekly publication.

The Kuokoa, a weekly publication.

The Bulletin, an evening daily.

Ka Leo, native, daily and weekly.

Holomua, native, weekly.

Elele, native, weekly.

Monthly publications.—The Friend, The Anglican Churchman, The Planter's Monthly, The Paradise of the Pacific.

A Tourist's Guide is issued annually.

The Hawaiian Annual.

The Hawaiian Gazette Publishing Company possesses a very complete printing establishment.

Manufacturing.—Honolulu Iron Works, incorporated 1877. Number of hands employed, usually about 200. This institution is said to be equipped with excellent appliances in all its departments.

Honolulu Steam Rice Mills—Large quantities of rice milled for home and foreign use.

Hawaiian Carriage Manufacturing Company.—Manufacture to order and attend to all kinds of repairing; deal in and keep on hand wagon makers' supplies.

Hopper's Planing Mill and Iron Works.—Extensive plant, said to execute all kinds of work in wood and iron.

Enterprise Planing Mill.—Sash, doors, etc.

Lucas Bros.—Sash, doors, etc.

Hawaiian Gazette.—Bookbinding, etc.

Press Publishing Company.—Well equipped printing house.

Tahiti Lemonade Works.—For manufacture of all kinds of aerated waters.

Another establishment of the same kind.

The usual number of blacksmith and wagon shops, cooperages, etc.

Banking houses.—Bishop & Co.; Claus Spreckles & Co., whose California correspondent is the Anglo-California bank.

The mercantile houses are numerous.

CITIES OF OAHU (OTHER THAN HONOLULU).

Kanehoe, in the Kulau district, the principal place on its side of the island, situated near Waialai harbor, just beneath the Pali, back of Honolulu. No details of settlement. The climate here is cooler by a few degrees than on the leeward side, and frequent showers keep up the verdure.

Waialua, a large village, lies at the northern end of the plain which separates the two ranges of mountains. No details.

Waianae, nearly in the middle of the southwest coast of the island, a village lying at the base of the mountains in a narrow valley, fertile and cultivated. The shore here forms a small sandy bay, and on the southern side, between two high rocky precipices, in a grove of cocoanut trees, stands the village.

Pearl City, situated on the south side of the island, is a large, irregularly-shaped lagoon or inlet, greatly cut up by projecting points and islands. This is Puuloa River and Pearl Lochs, where the United States Government has acquired certain rights.* On the west side of the channel lies Puuloa village, in the neighborhood of which are large salt works. Along the inshore side of the Pearl Lochs is a strip of very fertile land of variable breadth, part of which is under cultivation; behind the land rises gradually to the Ewa plain.

Pearl City is said to be one of the pleasantest spots on the island, made accessible by the building of the Oahu Railroad. It is situated

*In 1887 a treaty between Hawaii and the United States was made which agreed that, on condition of the remission of duties on certain articles of Hawaiian produce, the United States was ceded the exclusive right to establish and fortify a naval station in the Hawaiian Islands. Pearl Harbor was designated as the station.

In 1889 an enlargement of the treaty provisions, so as to confer special advantages upon both parties, was proposed by the United States. It was suggested that the cession of a naval station be perpetual as well as exclusive. Another provision was proposed, viz, to allow the United States to land troops in Hawaii whenever necessary to preserve order. These provisions have not so far been taken advantage of by the United States.

in the midst of a highly productive and fertile district, 12 miles distant from Honolulu, and is now a beautiful town, with an abundant supply of pure artesian water, with wide streets, a substantial station, and several modern residences already built, and with improvements going on as rapidly as a large force of workmen can push them to completion.

The Oahu Land and Railroad Company founded the town.

Water supply.—Pearl City is said to have facilities for supplying 10,000 inhabitants. There is now an artesian well which flows to a height of 28 feet, and has a capacity, when pumped, of 2,000,000 gallons per day. The water from this well will be pumped into a reservoir 100 feet high, and be used to supply the peninsula.

There is another reservoir on the more elevated ground, 200 feet above sea level, with a capacity of 1,500,000 gallons, which can be increased to 16,000,000 as soon as necessary. This is supplied from mountain streams.

Pearl City consists of 2,200 acres of land, which was owned in fee simple by the Oahu Railroad and Land Company, 18,000 acres adjoining which is held by the same company under a fifty-year lease, and is being sublet for fruit-growing purposes. Three companies have recently been incorporated, two of them with a capital of $30,000 each, and have rented a choice portion of this land, which will be planted principally in bananas and pineapples.

The 2,200 acres which the town proper comprises, includes the whole of the peninsula extending into the harbor, and the lots on the mainland, the latter of which are on a gradual slope of land inclining toward the mountains.

The site of Pearl City has long been a favorite spot where boating, bathing, and fishing can be enjoyed under the most favorable circumstances. A good breeze is always blowing from the ocean. The temperature of the water is perfect for bathing all the year round.*

Diamond Hill.—About 3½ miles southeast of Honolulu; a signal station for incoming vessels.

Waikiki.—A village lying about 1 mile northwest of Diamond Hill. There is no anchorage in front of it.

Island of Hawaii. (Map D.)

In shape the island of Hawaii is a wide triangle, sides 85, 75, and 65 geographical miles. Almost the whole surface is a gentle slope from one of the four volcanic mountains: Mauna Kea, on north, 13,805 feet, the highest peak in the Pacific Ocean; Mauna Loa, on south, 13,600 feet; Mauna Hualalai, on west, 8,275 feet; and Mauna Kohala, on northwest, 5,505 feet. The slopes on the west are so gentle that the base of terminal cones may be reached on horseback. In the Mahukona district the face of the country is regular, ascending gradually from coast to summit of highland.

The plain lying between the mountains of Hawaii is many square miles in extent.

Coast.—The south point of the island of Hawaii, called Ka Lae, is very low, rising with a gentle slope to the hills behind. The southern side of the island is much drier and the country more open and free from forest than on the north, where, indeed, the forests are very dense.

From the south to Kumukahi, the east point of Hawaii, there are no bays or good anchorages.† The coast is exposed to wind and swell.

*Pacific Coast Commercial Record. †Except the small bay at Kaalualu.

From the east point almost to Hilo Bay the coast is precipitous, and against it the sea continually beats with violence; thence for thirty miles the shore is remarkable for the number of streams (85), running at the bottom of ravines, 1,800 to 2,000 feet deep, which furrow the side of Mauna Kea and render travel along its coast very laborious. Ridges between the ravines, terminating at the sea in precipices from 100 to 500 feet high, oblige the road to run inland. The northeastern coast is very generally steep and rocky, though here and there are small bays or breaks in the cliffs where the natives are able to land their canoes.

Upolu Point is the northern extremity of the island. Behind it lies an extensive plain in good state of cultivation, rising gradually to the foot of the mountains.

From the north point of the island the west coast is at first barren, owing to want of rain; the face of the country is regular, ascending gradually from the coast to the summit of highland in the interior. From Kawaihe Bay to the village of Kailua there is no anchorage or shelter.

Kealakekua Bay, where stands the monument to Capt. Cook, R. N., is the best anchorage of the south coast; but south of it lies a rugged lava-covered shore, where large masses of rock, miles in extent, often form perpendicular cliffs against which the sea beats with fury.

This formation extends half a mile into the interior, and as the distance from the sea increases the soil becomes richer and more productive. The face of the country within this rocky barrier is rough and covered with blocks of lava more or less decomposed, but at a distance of 2 miles from the coast begins to be well covered with woods of various kinds, which are rendered almost impassable by an undergrowth of vines and ferns.

The interior of the island of Hawaii is a strange blending of fertility and desolation. In the valleys are often found regions of extraordinary richness, that are reached only by crossing arid districts strewn with rocks and bowlders, or overlaid by recent streams of lava still uncovered by soil.

Barren wastes are succeeded by vegetation so dense as to be almost impenetrable, or by pleasant grass lands lying near forests of the peculiar koa tree, which is characteristic of this island. The trees in the koa forests frequently grow close together from a soil carpeted with long rich grass; they are large in size, of hard, dark wood, and were formerly greatly used to make the canoes of the islanders.

The density of the forests is proportional to the amount of rainfall, which, upon the windward side of Hawaii, is phenomenally great.*

On Hawaii is found a peculiar grass, said to have been brought to the island by accident. In its green state it is hardly fit for pasture. Cattle and horses eat it, but it apparently affords very little nourishment, though more when cured. So dense and high is this grass that it is difficult to ride through it. Another, and perhaps the best variety of grass, comes from Mexico; it is called, locally, *maniania* grass, and wherever it grows forms the richest and most velvety sward imaginable. It is highly nutritious and animals are very fond of it.

Such being the character of the interior of the island, roads are in general bad, and communication difficult.

* Maj. Dutton says that this may attain to more than 300 inches annually in the interior of Hawaii; 240 inches have been measured at Hilo.

CITIES, TOWNS, AND PORTS, HAWAII.

Hilo.—Hilo, or Byron Bay, on the northeast side of Hawaii, is the only anchorage on the northeast coast; the bay is about 7½ miles wide and 3 miles deep. It is fully exposed to the northeast trade wind.

The scene which the island presents, as viewed from the anchorage in Hilo Bay, is novel and beautiful; the shores are shielded with extensive groves of cocoanut and bread fruit trees, interspersed with plantations of sugar cane, through which numerous streams are seen hurrying to the ocean. To this belt succeeds a region some miles in width, free from woods, but clothed in verdure, while beyond is a wider belt of forest, whose trees, as they rise higher and higher from the sea, change their character from the vegetation of the tropics to that of the polar regions. Above all tower the snow-capped summits of the mountains.*

On the coast of the bay near Cocoanut Island lie the creek and village of Whyeatea, where landing may be effected in all weathers. There are two piers to the northward of the entrance of the creek, alongside the northernmost of which ships drawing 15 feet of water can lie. The shore then turns westward along a sandy beach for nearly 1 mile to the bottom of the bay, where the town of Hilo is situated.

Hilo is the principal town in Hawaii, and ranks next to Honolulu in importance and population. The town may be easily recognized from the seaward by the tall white square towers of the Roman Catholic church and the pointed white spire of the Protestant church. There are also several other large buildings, both public and private, such as a court-house, schools, governor's house, stores, etc.

There are several sugar plantations in the vicinity of Hilo on which the town is mainly dependent for prosperity.

Besides sugar and molasses, Hilo exports hides, tallow, goatskins, arrowroot, rice, and a small amount of coffee.

As before stated, the rainfall here is very great, and accounts for the luxuriant verdure of the district.

The Hawaiian Government steam vessels communicate with Hilo from Honolulu once a week, and schooners ply constantly between the two ports. (See Communications and Appendix I.)

Supplies.—Supplies of nearly all descriptions can be obtained: Beef, 10 cents per pound; bread, about 9 cents, and vegetables at 6 cents.

A small pier has been built in front of the town, but in 1888 the sand had washed up and closed it as a landing place. The only landing place is at Whyeatea.

Close to the west of the town is Waterfall Creek, the mouth of Wailuku River, and about 2 miles from the entrance is Cocoanut Point. There is a good watering place up this creek which is generally easy of access, except when the wind is blowing hard from seaward; on such occasions the surf is high, and the rocky bar at the entrance becomes dangerous for boats to pass. The water is excellent and abundant.

Hilo Bay is a safe anchorage, and next to Honolulu may be considered the best in the Hawaiian Islands. With a strong trade wind there is a slight sea, unpleasant enough for boats but not sufficient to endanger the safety of a ship. The westerly wind, which is felt most, seldom blows strongly.

A well-sheltered anchorage can be picked up anywhere under the lee of Blonde Reef in from 5 to 7 fathoms. A vessel drawing 15 feet or

* Pacific Islands, Vol. II, Hydrographic Office. Admiralty.

less may anchor so as to be quite under the lee of Cocoanut Island and Keo Kea Point.

Mahukona.—A small village with anchorage off it about 6 miles south of Upolu Point. The place is becoming important, through the energy of a Mr. Wilder, who has made a most convenient landing place, and constructed a railway 15 miles long to bring sugar from the Kohala district round the north end of the island.

The cargo boats lay along the side of the pier and are laden and cleared very quickly by means of a steam "crab" which works a truck up and down the incline.

There is no water in the place. All the fresh water has to be brought from Kohala by train. An attempt to obtain artesian water failed.

The anchorage is indifferent, and with winds to the westward of north or south would be untenable. Freight is disembarked and shipped at night, during the greater part of the year.

The soil along the shore is barren for 3 or 4 miles inland owing to the want of rain. The face of the country is regular, ascending gradually from the coast to the summit of the high land.

Kawaihae village is situated in a grove of cocoanut trees, just behind a sandy point near the center of the bay of the same name. The village consists (1891) of a general store, 2 or 3 houses, and several huts along the shore. In front of the village is a pier for boats.

So much of the soil of this district as lies along the coast, though rich, is badly watered; 7 or 8 miles inland from Kawaihae Bay it becomes exceedingly rocky and barren.

The climate is upon the whole unpleasant, especially at Waimea, about 9 miles eastward of Kawaihae, in consequence of the exceedingly strong trade wind, which brings with it a mist toward sunset. This wind rushes furiously down between the mountains which bound the valley of Waimea and becomes very dangerous to the shipping in the bay. It is called by the natives *mumuku*, and is foretold by an illuminated streak seen far inland, believed to be caused by the reflection of the twilight on the mist that always accompanies the *mumuku*.

The principal exports of the district are hides, tallow, and beef.

On approaching the anchorage a good landmark is a conspicuous mound situated a short distance south of the village. Another conspicuous landmark is a white tomb in the form of a pyramid.

There is a coral reef in front of the village, but a boat passage exists around the north end and close to the shore, where landing is easy.

With strong westerly winds the anchorage would be very exposed and unsafe. The sea breeze from the westward lasts all day, and the northeast trade or land breeze sometimes blows strong all night.

Supplies.—Beef may be obtained here at 6 cents a pound; potatoes are abundant, and plenty of fish may be caught with the seine.

The watering place, which is in a small sandy bay, is only a pool of rain water collected in a hole, and would require 500 feet of hose to pump into a boat. In the summer the water becomes somewhat stagnant and unfit for drinking; in winter more rain falls, and it then becomes a stream.

Settlement—Kailua Bay.—The bay affords a good anchorage at most seasons of the year. (In 1841 the residence of the governor of Hawaii Island was established here, and great advances were being made in the civilized arts and industries.) There is a most convenient landing place on a sandy beach on the west side of the bay, formed by the jutting out of two points, between which is a small cove protected from the surf by rocks.

Rain seldom falls here except in showers, and a rainy day once in the year is looked upon as remarkable. This, together with the absence of all dew, prevents the existence of much cultivation. There grows, nevertheless, a coarse vegetation sufficient to pasture a few hundred goats, and a mile back from the shore the surface is covered with herbage which maintains cattle, etc.; 2 miles in the interior there is sufficient moisture to keep up a constant verdure.

The temperature is mild and equable. During the winter the thermometer ranges from 64° to 85°; summer, 68° to 86°.

The prevailing winds are the land and sea breezes, which are very regular; the most severe gales are those from the southwest, which last from a few hours to two or three days, and render anchorage unsafe.

On approaching Kailua Bay, the town may be recognized by the 2 churches and the cocoanut groves on the shore to the westward.

There is a most convenient landing place, as noted above.

Kona.—Settlement near Kealakekua Bay, situated west side Hawaii; best anchorage on that coast. Climate mild, 62° to 76° in winter, 70° to 86° in summer. Strong winds are seldom felt. During day, cool sea breeze; during night, land breeze. It was at Kealakekua Bay that Capt. Cook was killed (1779). On west of Kanwalda Cove is a village of same name, where the monument to Cook now stands. The shore all around the bay is rocky, making landing dangerous when there is a swell setting in, except at Kealakekua village. Here there is a fine sandy beach, with burying place at one extremity and a small well of fresh water at the other. The bay is easy of access; but anchorage is not good, owing to the great depth of water and foul bottom. Kanwalda Cove, though exposed to winds south and southwest, may be considered safe anchorage, except in winter.

Kona is a village a few miles inland, and is considered one of the most healthy spots in the whole group, and especially beneficial to people suffering from weakness or disease of lungs or chest. It is said that many visitors come here from California to pass the winter, and there are one or two commodious boarding houses for their accommodation.

From the landing place, about half a cable southwest of Cook's monument, there is a good road leading to Kona.

Supplies.—Beef, fowls, sweet potatoes, and plantains can be obtained in Kealakekua; also water at Napupu, a village south of Kealakekua; but the tank is falling to decay, and the water is brackish in all wells in the vicinity of Kanwalda Cove.

Island of Maui. (Map E.)

The island of Maui lies northwest of Hawaii. The channel which separates them has a width of 28 miles.

The island is 48 miles long in a west-by-north and east-by-south direction; it is divided into two oval-shaped peninsulas, connected by a low isthmus 6 miles across, and only a few feet higher than the beach.

The whole island, which is volcanic, was probably produced by the action of the two adjacent volcanoes.

Coast.—The southwest point of Maui, Cape Hanamanioa, is formed by rugged, craggy rocks. From here along the coast 25 miles to Alau islet the whole shore is rugged and offers no anchorage or shelter. From seaward the land appears to ascend abruptly; it is densely covered with trees and vegetation, while here and there a few

habitations appear. Alau islet, lying off the east coast of Maui, is very small. Kauiki head, the eastern point of Maui, is an old crater which is connected by a low spit to the mainland, and at a distance appears like an island.

Near this peninsula lies Hana harbor, from which a coast that affords no shelter extends for 31 miles.

The north coast of East Maui is a succession of deep ravines, which gradually diminish in breadth as they ascend, and are finally lost in the flanks of the mountains; traveling along the coast, in consequence, becomes almost impossible. Cascades several hundred feet in height, but having little volume of water, are seen falling into these ravines.

The east coast of West Maui is an abrupt precipice several hundred feet in height, terminating at Kahakuloa Point, the northern extremity of the island. The southern side of West Maui has a forbidding appearance. The shores, however, are not so steep and rocky as elsewhere, and have generally a sandy beach.

Off Makena, near the southwest extremity of the island, lies a small barren islet called Molokini, only visited by fishermen who dry their nets on its barren surface.

Interior.—The eastern peninsula of Maui, the larger of the two, is lofty; but though the mountains are often seen above the clouds, they are never covered with snow.

East Maui rises in an unbroken mountain.

East Maui, although mountainous, has much cultivated land; and the rich volcanic soil of the Kula district, on the southwest side of the island, raises abundant crops of potatoes. Wheat and other grains are also cultivated.

West Maui has many sharp peaks and ridges, which are divided by deep valleys, descending towards the sea, and opening out into sloping plains of considerable extent in the north and south sides.

The highest peak of West Maui is Mauna Ika, 6,130 feet.

The connecting isthmus consists of sand, which is constantly shifting and is thrown up in dunes; this region is naturally dry, but during nine months of the year affords fine grazing, feeding large herds of cattle that are mostly owned by foreigners.

The productions of Maui are those of the other islands, with the addition of a few fruits, such as grapes, etc.

The highest point of Maui, named Kolakole, is 10,030 feet above the sea. It is destitute of trees to the height of about 2,000 feet; then succeeds a belt of forest to the height of about 6,500 feet, and again the summit is bare.

The crater of Haleakala is a deep gorge, open at the north and east, forming a kind of elbow. The inside is entirely bare of vegetation. The natives have no tradition of an eruption.

Though arid and sandy in appearance, the soil of the isthmus connecting the two parts of the island is good, deep, and exceedingly fertile where irrigation has been introduced. At Spreckelsville, in the northern part of the peninsula, lie the largest sugar estates of the island.

CITIES, TOWNS, AND PORTS, MAUI.

Hana Harbor.—The anchorage is well protected from the wind and sea, and is very convenient. There is a town here. Details unknown.

Kahului Harbor.—Situated between the coral reefs on the northern side of the low isthmus joining the two peninsulas. Channels about 3½ cables wide, 4 cables deep, fully exposed to the northward.

Kahului.—An important place for exporting the produce of the northern part of Maui; there are railways connecting it with Wailuku to the westward, and Spreckelsville and Haiku on the east. (*See* Communications.)

There was being built in 1881, out from the shore near the custom-house, a jetty which it was proposed to extend as far as the edge of the reef.

Anchorage may be obtained in from 2½ to 7 fathoms.

Wailuku.—A flourishing village about 2 miles northwest of Kahului. Here there is a female seminary occupying an extensive range of coral buildings, beautifully situated on an inclined plane, with high precipices behind. It is considered one of the best organized establishments in the Hawaiian Islands.

Lahaina.—A town situated on the west side of West Maui, and at one time a flourishing place much frequented by whaling vessels for refitting and for obtaining supplies, but now only visited by vessels loading with sugar, which is grown on the estates in the vicinity.

The town is built along the beach for a distance of three-fourths of a mile. It is principally composed of grass houses situated as near the beach as possible. It has one principal street, with a few others at right angles to it. From seaward the town may be recognized by some conspicuous buildings, especially Government House, which is near the beach and has a tall flagstaff before it. The seminary of Lahainaluna is situated on the side of the mountain above the town.

Off the town there is an open roadstead which is completely sheltered from the trade wind by the high land of Maui, but the holding ground is reported indifferent.

Supplies.—Supplies of all sorts can be obtained here—beef, vegetables, fruit, and water in abundance.

Landing.—The landing place is at a small pier, extending from the light-house, and protected by a breakwater.

The tide is irregular, generally running northwest sixteen hours out of the twenty-four.

Patoa.—A roadstead (so called by Vancouver) situated on the southern side of West Maui. "The anchorage at Patoa is abreast of the easternmost of these valleys, which appeared fruitful and well cultivated."

Kamalalaea Bay settlements.—The bay is on the west side of Maui, lying between two peninsulas, the western side formed by rocky cliffs and precipices. Nearly in the middle of this side is a village called Mackerrey, off which is an anchorage in 7 fathoms. No details known.

Maalaea.—Near the head of Kamalalaea Bay, in the northeast corner, is the small village of Maalaea. Here there are some houses for storing sugar. Besides sugar there is a great quantity of wheat, maize, and potatoes grown in this district, and supplies of fresh provisions are obtained in plenty from Wailuku, which is about 6 miles distant.

The anchorage off this place is not good, as the trade wind blows across the low isthmus in heavy gusts, and communication with the shore by boats is sometimes interrupted.

There is a small pier here for loading schooners and boats can always go alongside, the channel leading to the landing place being about 20 yards wide, between two coral reefs.

Makena, or Makees Landing.—A small indentation in the west coast of East Maui, near the southwestern extremity of the island. It

derives the latter name from a planter whose estate is situated on the side of Mauna Haleakala, on a plateau 2,000 feet above the sea and about 5 miles east of the landing place. Near the landing are a stone church and several houses. The anchorage is exposed to the heavy squalls which occasionally blow over the low isthmus in the center of Maui, and landing is at times impracticable for ships' boats owing to the heavy surf. The holding ground is not good.

Island of Kauai. (Map P.)

Kauai lies 64 miles west by north of Oahu, and is separated from it by the Kaieie Waho channel. This island is of volcanic formation, somewhat circular in shape, 25 miles long and 22 miles wide, and rises in the center to a peak 5,000 feet in height.

Coast.—From the seaward the northeast and northwest sides appear broken and rugged, but to the south the land is more even; the hills rise with a gentle slope from the shore, and at some distance back are covered with woods.

The southern point of the island is a bold, barren, rocky headland, falling perpendicularly into the sea.

Ninini Point, north point of Nawiliwili Harbor, is low, level, grassy land, sprinkled with volcanic bowlders extending from a range of low hills that stretch along the coast at a short distance from the beach, which extends northward to Wailua.

Along the coast from Wailua sugar cane appears to be cultivated in large quantities, especially in the vicinity of Wailua and Kanala Point, where there are several factories.

From this point to Hanalei Bay are several small villages scattered along the coast near the mouths of mountain streams which are closed by sand bars. The land near the sea is flat and very fertile, but soon rises to the mountains behind. The rivers as well as the sea abound in fish.

The northwest coast of Kauai, forming the district Na Pali, has a very rugged appearance, rising to lofty abrupt cliffs that jut out into a variety of steep rocky points destitute of both soil and verdure, but terminating nearly in uniform even summits, on which, in the valleys or chasms between them, are several patches of green. Here and there a stream running from the lofty mountains behind finds its way to the ocean.

Mana Point, the western extremity of Kauai, is a long, low sand spit, commencing at the foot of a high range of mountains, and from it a sandy plain extends to the town of Waimea. This plain is from a quarter to a mile wide and 150 feet above the sea, whence it rises gradually to the mountains.

It has a sunburnt appearance and is destitute of trees, except on the low grounds where the cocoanut thrives. The sea here abounds in fish. Between Waimea and Kaloa Bay, the south point of Kauai, extends a series of sunburnt hills and barren plains, sloping gradually to the shore from the mountains, and here and there intersected by ravines. There is no cultivation, and the soil only produces a kind of coarse grass quite unfit for pasture.

Interior.—The island of Kauai is considered one of the most pleasant of the group. Portions of it appear better adapted to agriculture than the other islands, and the coffee and sugar plantations on the weather

side, which is well watered with streams and by frequent rains, are very productive; but the lee side is dry and adapted to cultivation only in valleys.

CITIES, TOWNS, AND PORTS, KAUAI.

Nawiliwili Bay village.—The harbor of Nawiliwili is a small cove on the southeast side of the island, at the head of a bay of this name. The greater part of the harbor is blocked by shoals and reefs.

At Nawiliwili Bay is a large village; the soil in the vicinity is rich, producing sugar cane, taro, beans, sweet potatoes, etc.

There is a small pier in the northwest corner of the harbor, where landing may be easily effected; but the pier should be approached with caution, as a reef extends from the shore to the southward of it for two cables in an easterly direction.

The local mail steamer runs to this point. (See Communications.)

Wailua.—Formerly a place of some importance, 5½ miles from Ninini Point, situated on a small river of the same name, in a barren sandy spot, surrounded by an extremely fertile district. The river, in common with the others along this coast, is closed at the mouth with sand bars, but inside is deep and navigable by canoes for several miles.

Coast villages.—From Kanala Point, north and west, 14 miles to Hanalei Bay, there are several small villages scattered along the coast, near the mouth of mountain streams closed by sand bars.

Hanalei.—Situated near the bottom of a bay of this name.

Anchorage ground in the bay is spacious in fine weather, but there is only room for about three vessels in bad weather under the lee of the reef near the eastern point of the bay.

A landing is generally effected inside the mouth of the river.

Supplies.—Supplies are plentiful—beef, vegetables, and fruits may be obtained in abundance. Water may be procured by sending boats into the river, which is easy of access in fine weather, and a short distance from the mouth the water is perfectly fresh. The town is very picturesquely placed; the mountains rise to a height of from 3,000 to 4,000 feet, and are clothed with verdure from base to summit, with numerous rills running down their precipitous sides.

In front of the town is a good beach where great quantities of fish may be caught with a seine.

The district derives its name from the numerous rainbows formed by passing showers. The rains are so frequent as to clothe the country in perpetual green.

On the eastern side of the entrance is a conspicuous dark bluff-head, with two sandy beaches a short distance to the eastward.

A little way to the southward of this bluff is the mouth of a small river, in front of which is a bar that may be crossed by boats at half flood; inside, the bar carries a depth of from one to three quarters of a fathom and is navigable for several miles for boats drawing 3 feet. About 4 cables from the mouth of the river, on the northern bank, is a large farm, called "Charlton farm," owned by the English consul, who keeps a large number of cattle of good breed.

Waimea village.—Situated on Waimea Bay, southwest coast, placed at the mouth of river of the same name, which runs about 15 miles inland. At one time a populous native town, but now (1891) only a small village of little importance. It contains a church.

Boats may ascend the river for about three-quarters of a mile; this is the only water here that is not brackish. A little to the eastward

of the village a shoal projects. The trade winds, deflected by the mountains, often raise a surf which renders landing at times very unpleasant, sometimes impracticable.

Waimea Bay should be approached with caution, as reefs extend to the southward. There is a railroad from Waimea to Kekaha. No details known.

Kaloa Bay village.—About 1 mile west of the south point of Kauai is a slight indentation of the coast, where there is a considerable village called Kaloa, off which anchorage may be obtained but in a very exposed position.

The country around the village of Kaloa is much broken by hills and inactive craters; but the soil is good, though dry and very stony, and is capable of cultivation in many places. There is a sugar plantation here, and there are several large cattle ranches in the vicinity.

The village may be recognized by many high buildings and two churches; it extends from the beach to a distance of 2 miles up the slope of a hill. Between the village and Makanuena, the southern extremity of the island, there is a low point running out into a rocky ledge that somewhat protects the anchorage.

There is a good landing place at Kaloa, in a small cove protected by a reef extending about 1 cable from shore; an artificial creek has been made at the head of this cove, with sufficient space for one boat to enter.

Supplies.—Supplies of beef, vegetables, and fruit may be obtained in abundance.

Island of Molokai. (Chart B.)

Molokai is situated north of Lanai, from which it is separated by Pailolo Channel, 6½ miles wide.

It is apparently formed by a chain of volcanic mountains about 40 miles long and 7 miles broad. The mountains are high and broken by deep ravines and water courses; the sides are clothed with verdure and ornamented with shrubs and trees.

Coast.—Lae o Ka Laau, the southwest extremity of Molokai, is a low black point. On the south side of the island are several small harbors, the best of which is Kaunakakai, midway between the two extremes.

From this point to the southeast extremity of the island the distance by the coast is about 21 miles, thence northward to Kalaua, the northeast point, about 2 miles.

Some 16 miles from Kalaua, and on a peninsula projecting about 2 miles into the sea, is placed the leper settlement of the Hawaiian Islands.

Interior.—One-third of the island of Molokai, towards the west end, is a barren waste not susceptible of cultivation, except in the rainy season. It has in consequence but few inhabitants, who are engaged mostly in fishing.

The eastern two-thirds is almost one entire mountain, rising gradually from the south until it attains an elevation of 2,500 feet, while on the north it is almost perpendicular. On the south side there is a narrow strip of land not exceeding a quarter of a mile in width, where dwell the greater part of the population. The soil is very rich, but owing to the want of moisture few plants will thrive even here. Resort is therefore had to the uplands, which are found to be susceptible of the highest degree of cultivation.

CITIES, TOWNS, AND PORTS, MOLOKAI.

Kaunakakai.—A town or village situated on the south side of Molokai, midway between the extremes. There are outer and inner anchorages; former not good, latter limited.

No supplies are to be obtained at Kaunakakai. No details of town known.

Kalanao.—Situated near the center of the north coast of Molokai, at the base of very precipitous mountains. The leper establishment was erected here about 1865. The anchorage is to the southward of a low point, extending from the foot of two remarkable, steep mountains. It can not be considered safe, being exposed to a heavy swell; landing at Kalanao, always difficult, is at times dangerous.

Supplies.—No supplies can be obtained.

ISLAND OF LANAI, OR RANAI. (Chart B.)

Lies 16 miles northwest of Kahulaui, and is separated from West Maui by Auau Channel, 7½ miles wide. Lanai is a dome-shaped island, about 17 miles long and 9 miles broad. Large fissures are visible on its sides.

The center of this island is much more elevated than Kahulaui, but is neither so high nor so broken as any of the other islands.

Great part of it is barren, and the island in general suffers much from the long droughts which prevail. The ravines and glens, notwithstanding, are filled with thickets of small trees.

The island is volcanic; the soil shallow and by no means fertile. The shores abound with shellfish.

Sheep in large numbers, it is said, are pastured here.

CITIES, TOWNS, AND PORTS, LANAI.

No towns noted; probably none exist.

ISLAND OF NIIHAU. (Chart B.)

The island lies 17 miles west-southwest of Kauai, from which it is separated by Kumukahi Channel. It is about 20 miles long by 7 miles broad.

This island is mostly lowland, except on the eastern side, where it rises directly from the sea to a height of 1,500 feet, and is rocky and unfit for cultivation. On the western side is a level plain from 2 to 4 miles wide, where the natives cultivate yams, fruits, sweet potatoes, etc. The soil being dry, the yams grow to great size. The natives are few in number and very poor; they live almost entirely on the western side of the island.

Of late years Niihau has been used as a sheep run, and in 1875 there were said to be about 70,000 sheep on the island.

The eastern shore of Niihau is rocky and wholly destitute of shelter, but on the western shore there are several open roadsteads.

CITIES, TOWNS, AND PORTS, NIIHAU.

Yam Bay.—An open roadstead about a mile and a half south of Kona Point, where, in fine weather, anchorage may be obtained. There is

only one place in the bay where boats can effect a landing in safety when the sea sets in, a common occurrence; this is on the western side behind a small reef of rocks that lies a little way off the beach; even here it is necessary to guard against sunken rocks. No inhabitants noted.

Cook anchorage.—On the southwest of Niihau, about 4 miles south of Kona Point; is exposed to the heavy northwesterly swell; the bottom is composed of large rocks, with patches of sand.

Near the beach are a few huts, a church, and a derrick for loading and unloading boats.

Landing.—The landing place is protected by some rocks forming a breakwater in the northeast part of the bay, and is situated just inside a lava patch which from seaward appears like a point. Landing can be effected easily in moderate weather, but with a heavy swell it is impracticable.

Supplies.—Whalers call here occasionally for fresh meat, but the sheep being bred for wool only, very little meat can be procured; and only a limited quantity of vegetables and fruit.

Fresh water can only be procured during the rainy season, when the water courses are full; at other times of the year there is no water but what the natives have collected in wells in the rock for their own use; these wells are chiefly near the south end of the island.

Caution.—As the rollers set in with but little warning at Cook anchorage, sailing vessels should proceed to sea on first indications of them. These rollers generally last from three to four days.

Island of Kahulaui. (Chart B.)

Called also Tahurowa, separated from East Maui by Alalakeiki Channel, 6 miles wide, is about 11 miles in length and 8 miles wide.

It is low and almost destitute of every kind of shrub or verdure, excepting a species of coarse grass. The rocks of which it is formed are volcanic, but nothing is known of any active or extinct craters on the island.

At one time this island was used as a penal settlement; but it is now chiefly used as a sheep run, the soil of decomposed lava being of too poor a quality for cultivation.

Cities, towns, and ports, Kahulaui.

No towns noted; probably none exist.

Island of Kaula. (Chart B.)

This island, called also Tahura, lies 17 miles southwest one-half west from Niihau. It is a small, elevated, barren rock, destitute of vegetation, and uninhabited. It is visited to collect the eggs of sea birds, which abound.

Island of Lenua. (Chart B.)

Lenua, or Egg Island, lies off the north point of Niihau. It is a small, rugged, barren rock, apparently destitute of soil and without sign of habitation.

ISLAND OF MOLOKINI. (Chart E.)

A small islet of the island of Maui, which see.

COMMUNICATIONS OF THE HAWAIIAN ISLANDS.

RAILROADS.

There are, according to the Statesman's Year Book for 1893, 56 miles of railway in the islands of Hawaii, Maui, and Oahu. These roads were built principally for the transportation of products from the interior to the seaports.

RAILROADS OF OAHU.

Oahu Railroad.—This line extends from Honolulu, 19 miles, to Ewa plantation; passing around Pearl Lochs, with a branch along the peninsula to Pearl City, and a spur extending into a quarry at Palama. Roadbed good. It is proposed to run the railroad completely around the island.

Depots.—There is an excellent depot at Honolulu; also turntable. Stations, with suitable houses, at intervals along the line. A fine depot, also turntable, exists at Pearl City.

Wharfage.—The company's wharf at Honolulu is 60 feet wide and 200 feet long and is ample for present needs. Products can be unloaded directly from cars to vessels and *vice versa*.

Rolling stock, etc.—The rolling stock and equipments are of the most approved and modern style.

At the port of Waianae, in northwest portion of Oahu, there are several small railroads, in all about 4 or 5 miles, branching to plantations in the interior and along the coast. About these there are, however, no obtainable data.

RAILROADS OF HAWAII.

In Hawaii, from Mahukona to the Kohola district, some 15 miles of railroad exist.

RAILROADS OF MAUI.

In the island Maui a little railway of very narrow gauge now connects Wailuku and Kaluilui. The railway also extends 3 miles further eastward to the sugar mills of the great plantation of Sprecklesville, in all 13 miles.

(The distances between these places are given from the overland distance tables in the Hawaiian Annual for 1893.)

Data concerning gauge, quantity of rolling stock, etc., as well as reliable maps, are at present unobtainable.

RAILROADS OF KAUI.

On the island of Kaui there is (according to the Hydrographic Office chart of Waimea Bay) a railroad from Waimea village to Kekaha. No details known.

ROADS.

There are a few well-constructed roads on the Island of Oahu, leading from Honolulu to places of interest to tourists; but in general the roads on the island are not good, being frequently heavy with sand and muddy in wet districts. No positive information obtainable.

TELEGRAPHS.

There are telegraphs round the island of Oahu as well as in Hawaii and Maui. Oahu and Hawaii are connected by telegraphic cable. Total length of telegraphs, 250 miles.

TELEPHONES.

Telephones are in general use in Honolulu and probably elsewhere on the islands.

POSTAL SERVICE.

For Hawaiian Islands postal service and post-offices.

INTER-ISLAND STEAMERS AND VESSELS.

There are 22 coasting steamers plying between the ports of the island, of which 9 belong the Inter-Island Steam Navigation Company, 7 to the Wilder Steamship Company, and the remainder to various private owners.

There are also 25 sailing vessels belonging to various firms and owners.

There are, besides, 2 steam and 6 sailing merchantmen and traders of Hawaiian register plying between the islands and foreign ports.

LEPROSY.

In his report to the Hawaiian legislative assembly of 1884, the president of the board of health makes the assertion that "Hawaii has to meet a calamity of widespread disease. * * At least 2 per cent of her entire native population is attacked by a fearful and supposed incurable malady [leprosy], of an exceptional character, that demands separation and isolation." In the same report it is shown that the appropriation of $90,000, for the segregation and care of lepers, voted in 1882, for the biennial period closing March 31, 1884, had fallen short of the demands upon the health authorities. The Hawaiian law has provided for the strict segregation of lepers since 1865, and the district of Kalawao on Molokai, a territory of about 5,000 acres, was selected at that time for the leper settlement.

It is asserted that up to 1882 at least, the law requiring segregation was not carried out with vigor, but it is shown that under the partial enforcement of the law during sixteen years prior to June 1, 1882, 2,602 cases, an average of 162·62 cases per year, had been sent to the

leper settlement. The biennial report of the president of the board of health for 1890 states that "the work of collecting and segregating lepers had been carried on with firmness and impartiality, and that the number of lepers collected and sent to Molokai for the biennial period closing March 31, 1890, was 798. Of these 2 were of British and 2 were of American birth." The report shows that $331,057.80 was expended by the board of health during the biennial period, and it is asserted "that the maintenance of the leper establishment is the almost bottomless pit into which more than three-fourths of the money appropriated is cast."

It is hopefully claimed, however, "that its requirements are on the wane, and judging from the most reliable information obtainable there are but very few undoubted cases of leprosy now at large in the country, and they will come under the care of the board as rapidly as it is possible to get control of them." In proof of this it is stated that on the 31st of March, 1888, it was estimated that there were then at large throughout the Kingdom 644 lepers, while at the date of the report under consideration, March 31, 1890, "according to the best information obtainable, there are * * * about 100 persons supposed to be affected by the disease still at large who have not been before the examining board." The reasons why these suspected lepers have not been examined are stated to be that some very bad and unmistakable cases are hiding in fastnesses of the mountains, while some mild cases change their residence so often as to baffle the efforts of the officers of the law for their arrest.

In regard to the contagious character of the disease and the precautions necessary to be taken it is claimed by Surg. Tyron, U. S. Navy,* that the spread of the disease in the Hawaiian Islands is due, or was due at that time, 1883, to the general belief that "the disease is only slightly contagious, and its treatment as such from the beginning, allowing free individual intercourse, with weak enforcement of the laws for its suppression."

That leprosy has not always been regarded by the authorities of the Hawaiian Islands as eminently contagious is shown by the following extracts from the report of the president of the board of health to the legislative assembly of 1884. He says: "Such a characterization is entirely uncalled for, is not warranted by experienced medical opinion, and the violent and hasty segregation which it would inspire is a wrong to a suffering community." "The confirmed leper should be separated from the community, but there should be no alarm in consequence of the temporary presence in the street of a leper, or on account of any ordinary intercourse with a sufferer from the disease."

On the other hand the report of the board of health for 1890 declares in the most emphatic manner that "complete, thorough, and absolute segregation offers the only safeguard" against the ravages of leprosy. The same report asserts that if, from the time when leprosy was first recognized as an established fact in the islands, the policy of absolute segregation had been firmly decided upon and unflinchingly pursued, * * * Hawaii would be as free from leprosy to-day as any civilized nation." The report concludes with the hopeful words: "It is safe to say that if we do not relax our efforts we have seen the worst of leprosy in this country." The average leper population of the leper settlements in Molokai for the two years ending March 31, 1890, was 1,035.

* American Journal Medical Science, April, 1883.

A. Lutz, M. D., a specialist employed by the Hawaiian Government as "government physician for the study and treatment of leprosy," reports, under date of April 1, 1890, as follows: "The infection from one person to the other furnishes probably the largest number of patients; heredity, if it really exists at all, is quite secondary, being perhaps only simulated by family infection. The influence of vaccination appears most doubtful."

From the Sanitary Instructions for Hawaiians, by the chairman of the sanitary committee of the Hawaiian legislature, the following statement of predisposing causes of leprosy and rules to be observed is made up:

"Be careful that where the operation of vaccination is performed pure vaccine is used."

"Avoid a leprous bedfellow as you would a pit of fire."

"Eat regularly and of the best obtainable food."

"Avoid dark, damp, badly-ventilated rooms."

"Never lie down to repose in damp or dirty clothing, and keep the body clean."

"Nearly all the lepers come from among the poor, who have fared badly and have lodged in damp and ill ventilated huts."

"Take care of the first symptoms of leprosy. The moment numbness of feeling, or any marks or swellings that indicate leprosy are observed, a physician should be consulted."

Venereal diseases favor the attack of leprosy. "If two men, one perfectly well and clean in body and the other diseased with venereal virus, were each brought into intimate contact with a leprous individual, the diseased man would be affected and become a leper far sooner than the sound man."

Dr. Lutz, Hawaiian Government physician for the treatment and study of leprosy, was encouraged to declare, under date of April, 1890, that he believes "we shall * * * see cures, which may be attributed, not to extraordinary chance, but to our methods of treatment." It appears, however, from later reports, that the study of leprosy by specialists employed by the Government was soon abandoned. Dr. Lutz resigned September, 1890, without having effected a permanent cure.

The president of the board of health reports to the legislative assembly, session of 1892, on the subject of the study of leprosy by Government specialists, as follows: "In deference to the oft-repeated requests, * * * the board of health opened correspondence with the leprosy commission of England and with Dr. E. Arning, of Hamburg, Germany, with a view of * * * continuing the study and treatment of leprosy." The substance of Dr. Arning's reply is: "That the scientific work connected with the etiology and pathology of leprosy can, with surer prospects of success, be carried on here in its European centers, and this is actually being done; there are a number of bacteriologists * * * at work on this intricate question and slowly unraveling knot on knot towards its solution."

The report of the board of health for 1892 states that on "December 31, 1890, there were 1,213 lepers in the custody of the board, that being the highest number ever reached, and on March 31, 1892, there were only 1,115, a decrease of 98 during the period." In regard to the segregation of lepers the report affirms that at this date, March 31, 1892, "there are very few known lepers at large, with the exception of perhaps 17 at Kalalau, Kaui, but there are about 60 suspects at liberty in

Honolulu, and some in the outer districts, and more or less of them will, in time, become confirmed cases."

The same report shows that the cost of the "segregation, support, and treatment of lepers" for the biennial period closing March 31, 1892, was $224,331.88.

In regard to venereal diseases, so well known as prevalent in the Hawaiian Islands, the statement is made in the Medical Record for April, 1889, that the "effects of hereditary immunity * * * has resulted in the production of a much milder form of the disease in the course of three or four generations. At the present day syphilis in the Sandwich Islands is comparatively a benign disease, and furnishes but a small contingent to the sum of mortality." The writer, Dr. P. A. Morrow, states that "not only has the disease moderated in severity, but, according to the testimony of numerous physicians, * * * it has materially decreased in frequency." The writer also asserts the "comparative rarity of hereditary transmission" of syphilis in the islands, and explains it by the fact that the native Hawaiians of to-day are a sterile race. "In some of the districts the percentage of births does not exceed 2 per 1,000 instead of 28 per 1,000, as it should be, to balance the mortality rate."

NOTE.—The maps and charts mentioned in this paper omitted.

VII. ALSO THE FOLLOWING LECTURE, DELIVERED AT THE U. S. NATIONAL MUSEUM, FEBRUARY 9, AND MARCH 15, 1884, BY CAPT. C. E. DUTTON, OF THE U. S. ARMY, IN WASHINGTON, D. C.

[Ordnance notes—No. 343, Washington, April 23, 1884.]

THE HAWAIIAN ISLANDS AND PEOPLE.

Lectures delivered at the U. S. National Museum February 9 and March 15, 1884, under the auspices of the Smithsonian Institution and of the Anthropological and Biological Societies of Washington.

[By Capt. C. E. Dutton, Ordnance Department, U. S. A., on U. S. Geological duty.]

LADIES AND GENTLEMAN: The Hawaiian Islands are the summits of a gigantic submarine mountain range. If the waters of the Pacific were removed from their vicinity we might behold a range of mountains as long as our Appalachian system, from Lake Champlain to Chattanooga, and quite as wide, with summits five times as high as Mount Washington. The summits of Mauna Loa and Mauna Kea are nearly 14,000 feet above the ocean, and their bases are from 15,000 to 18,000 feet beneath it. Referred to the bottom of the ocean these mountains are higher than the Himalayas. Standing upon the northeastern coast of Hawaii the crest of Mauna Kea is less than 20 miles away, and is nearly 3 miles above us. At a distance of 30 miles at sea the ocean floor is about 3½ miles below us. I am not aware of any other place in the world where, along a line less than 50 miles in length, may be found a difference in altitude of more than 6 miles.

The Hawaiian group consists of four larger and four smaller islands. The largest island is named Hawaii. It has a length of about 90 and a width of 70 miles. Its area is nearly 4,000 square miles, being a little less than two-thirds of the area of the entire group. It is not, however, the most populous, for that distinction belongs to the islands of Oahu, on which is situated the principal town and capital, Honolulu, which is the center of trade and the seat of the Government.

Only a small portion of each island is capable of sustaining a dense population. The interiors are mountainous and generally rough, craggy, and cut with profound gorges of the wildest description. The habitable portions are near the seacoast, forming a ring around each island; but only a part of each ring is habitable or cultivable. Some portions are arid and barren; others are covered with recent floods of lava, and still others are bounded by lofty rocky coasts, and trenched with ravines so deep and abrupt that access is difficult. Generally speaking, the proportion of habitable area is singularly small. But those portions which are well favored are probably capable of sustaining as dense a population as any tracts in the world.

The climate of these islands is the climate of Paradise. It is never hot, and, except at considerable altitudes, it is never cold. Rarely has the thermometer been known to reach 90° on the seacoast, or to fall below 65°. The temperature in most localities may be averaged the year round as varying between 75° and 85°. But while the temperature of any given locality is uniform, there is wonderful variety in the climate as we pass from one place to another. Indeed, there are almost as many climates as there are square leagues. As a rule the windward or eastern sides are rainy and the leeward sides dry. On the eastern coast of Hawaii the annual rainfall varies from 150 to 250 inches. On the northwest coast of the same island it is probably less than the

twentieth part of those amounts. The islands being situated within the trade-wind belt, the wind blows constantly from the east and northeast during the greater part of the year, and is only subject to brief interruptions during midwinter. Violent storms occur only in the winter time, and these, coming once or twice a year from the southwest, are known as konas, which means in the native language the southwest. During a stay of six months on the islands I only heard a single peal of thunder.

These islands are all of volcanic origin. They are composed of basaltic lavas, and no other rocks are found there excepting a few consolidated coral sands, which are remnants of old sea-beaches, upheaved from 50 to 200 feet. In the two westerly islands the volcanic activity has long been extinct. Most of the ancient craters have been obliterated, and the volcanic piles built up during the periods of activity have been greatly ravaged and wasted by subsequent erosion. Next to the plateaus and canyon country of the Rocky Mountain region, it would be difficult to find anywhere more impressive and suggestive examples of the wasting and slow destruction of the land than those presented by these islands. We find there grand illustrations of the two methods by which the general process of erosion accomplishes its work. First, is the action of the rains, followed by the decomposition of the massive rocks and their conversion into soil, and also the action of running water and decay of the rock masses, resulting in the formation of ravines and mountain gorges of imposing grandeur; secondly, we find the slow but incessant inroads made by the waves of the ocean upon a seacoast, gradually wearing back the cliffs and slowly paring away the rocky shore, until, after the lapse of thousands of years, the sea has eaten its way several miles into the land. Thus we have on the one hand striking examples of one way in which mountains are built, and we have on the other hand equally striking examples of the ways in which those mountains are destroyed.

Travelers in the lofty volcanic islands of the Pacific have frequently noted with some surprise the singularly sharp, angular, abrupt features of their mountain scenery. It is very impressive in the Fijis and Samoa, in the Ladrone, Caroline, and Society groups. But none of them rival in wildness and grandeur the still loftier islands of Hawaii. Gorges little inferior to Yosemite in magnitude are rather numerous. But in a certain sharpness of detail and animation in the sculpture they are unique. The island of Kauai and the western portion of the island of Maui consist of old volcanic piles as high as Mount Washington, and much broader and longer. They are literally sawed to pieces by many immense canyon-like gorges, which cut them to their foundations. Over all is spread a mantle of tropical vegetation in comparison with which the richest verdure of our temperate zone is but the garb of poverty. Whoever reads Shakspeare's Tempest and visits the Bermudas will be disenchanted from some of the most pleasing illusions of the play. But, if Shakspeare could have known the eastern shores of Maui or Hawaii and made them the scenes of his play, it would have had, if possible, another claim to immortality.

This wealth of verdure and splendor of scenery usually occur upon the windward sides of the islands, for upon those sides is found the cause which produces them. This cause is the copious rainfall brought by the perpetual trade winds. Nothing can be more pleasing to the lover of beautiful scenery than a ride along the windward coasts of Maui and Hawaii. The land terminates in cliffs, varying from 200 to 500 feet in height, plunging down almost vertically into the Pacific.

The long heavy swell, driven for thousands of miles before the trade wind, breaks with great force against these iron walls. The surface above slopes upward towards the mountainous interior, at first with a gentle acclivity, which becomes steeper inland, and at length precipitous. This plat formis gashed at short intervals by true canyons, which head far up the mountain slopes, and open seaward in the great terminal wall. A mile or two inland from the brink of the cliff-bound shore is a forest so dense that it can be penetrated only by hewing a way through it or following a path already hewn. To describe the glories of this tropical vegetation is impossible. Only those who have beheld it can conceive of its splendor and luxurance. Yet there is one unrivaled feature of the island vegetation which has no parallel elsewhere than in the Pacific and Austral islands, and which may be mentioned. This is the ferns. There are more than 300 species of them in the Hawaiian Islands, and the most conspicuous are tree ferns which grow in amazing abundance and sumptuousness. They often cover the sides of the ravines, forming a thicket which is quite impenetrable, and become a mantle of green velvet so deep, rich, and exquisitely patterned that it makes an imperial robe seem ridiculous.

But there are contrasts. There are portions of the islands where the features have at first sight no more in common with those just spoken of than if they belonged to another planet. The beautiful or grand scenery is found in those parts where the volcanic activity has long been dormant. The contrasted portions are those where the volcanoes are still in action, or have recently put out their fires.

The southern half of the great island of Hawaii is covered with the two grandest volcanoes in the world—Mauna Loa and Kilauea. The great central pile is Mauna Loa, which is certainly the monarch of modern volcanoes. Its name signifies the Great Mountain. No other in the world approaches it in the vastness of its mass or in the magnitude of its eruptive activity. There are many volcanic peaks higher in air, but these are planted upon elevated platforms of stratified rock, where they appear as mere cones, of greater or less size. Regarding the platforms on which they stand as their true bases, the cones themselves and the lavas which have emanated from them never approach the magnitude of Mauna Loa. Ætna and all its adjuncts are immeasurably inferior; while Shasta, Hood, and Ranier, if melted down and run together into one pile, would still fall much below the volume of the island volcano. In the greatness of its eruptions, Mauna Loa is also without a rival. Some of the volcanoes of Iceland have been known to disgorge at a single outbreak volumes of lava quite equal to them. But in that island such extravasations are infrequent, and a century has now elapsed since any such have been emitted. The eruptions of Mauna Loa are all of great volume and occur irregularly, with an average interval of about eight years. Any one of its moderate eruptions represents more lava than Vesuvius has outpoured since the last days of Pompeii. The great flow of 1855 would nearly have built Vesuvius, and those of 1859 and 1881 were not greatly inferior.

The Hawaiian volcanoes are in some respects abnormal. The most distinctive of their characteristics is the quiet and undemonstrative method of their eruptions. Rarely are these portentous events attended by any of that explosive action which is manifested by all other volcanoes. In only one or two instances within the historic period have they been accompanied by earthquakes and subterraneous rumblings. The vast jets of steam blown miles high, hurling cinders and lapilli far and wide and filling the heavens with vapor, dust, and ashes, have never

been observed here. Some action of the sort is indeed represented sometimes, but only in a feeble way. Ordinarily the lava spouts forth in stupendous quantities, but as quietly as water from a fountain. So mild are the eruptive forces that the observer may stand to the windward of one of these fountains and so near it that the heat will make the face tingle, yet without danger. Usually the outbreak takes place without warning, and even without the knowledge of people in the vicinity, who first become aware of it at nightfall, when the heavens are aglow with the reflected light and the fiery fountains are seen playing. As the news spreads hundreds of people flock to witness the sublime spectacle, and display as much eagerness to approach the scene of an eruption as the people of other countries show to get away from one.

All this is in contrast with the ordinary volcano. At the other extreme is such an eruption as that which happened last August, at Krakatoa, in the Straits of Sunda. With the published details of this catastrophe you are all familiar. Appalling as it was, the eruption of Sumbawa in 1815 must have been, if can rely upon the accounts of it, even more energetic and destructive. The eruption of Coseguina, in Nicaragua, in 1835, appears to have been of the same character, or upon a scale quite equal; while once or twice in a century Cotapaxi shakes the chain of the Andes through half its length, fills the sky with dust, and converts noonday into midnight for a hundred miles around. The eruptions of Ætna have all been on a smaller scale, but still sufficient to fill all Sicily with terror. Vesuvius is usually regarded as an obstreperous vent, but its performances are mere Fourth of July fireworks in comparison with these Day-of-Judgment proceedings at Sumbawa, Krakatoa, and Cotapaxi.

The explosive agent in these terrible convulsions is steam. In their original seat, miles deep in the earth, the lavas contain considerable quantities of water; but the condition of this water is such as we have, at the surface of the earth, no experience with, except as we observe it in volcanoes. It is water red hot, or even yellow hot, and under a pressure hundreds of times greater than that of the steam in a locomotive boiler—a pressure probably comparable to that exerted by gunpowder in a powerful cannon. Under the enormous pressure, occurring at a depth of several miles within the earth, water is absorbed by the lavas in much the same way as water itself absorbs ammonia gas, or as wine absorbs carbonic acid. When the lavas rise to the surface where the pressure is removed their explosive energy becomes terrible. The steam is given off as the uncorked bottle of wine gives off its gas, only a thousand times more violently and energetically. So densely charged with vapor of water are some lavas that when, as in the case of Krakatoa, a vent is found, the explosive energy becomes so great that the lava is blown into fine dust and dissipated in the surrounding atmosphere. Although this extreme of explosive activity is far too common for the comfort and safety of the human race it is by no means the most frequent. The more ordinary type of volcano is one in which the explosiveness is not so intense as to blow the whole of the ejected matter into impalpable dust, but blows it into pellets termed lapilli. These grains of lapilli are of all sizes, from that of a kernel of wheat up to those of cannon balls, and sometimes weigh a hundred tons or more. With a majority of volcanoes, whether active or extinct, the greater part of the material ejected is cast into the air in this fragmental form. Falling back around the orifice it builds up a fairly regular cone, with a cup on the summit. This is termed a cinder

cone. Most of the volcanic piles of the world are crowned with cinder cones, the principal bulk of which consists of lapilli and scoriaceous lumps, with some massive portions of flowing lava streams mixed in. It is probable that quite half of the volcanic material now visible upon the globe consists of accumulations of such fragmental matter.

To this general method of extravasation Mauna Loa and Kilauea are remarkable exceptions. They consist almost wholly of massive sheets and floods of lava. On Mauna Loa there are but the most insignificant traces of fragmental products, and on Kilauea there are only a dozen or two of small cinder cones. The lavas of these great volcanoes flowed quietly out in enormous deluges, running sometimes for months, or even a whole year, with little or no explosive action throughout the entire duration of the flows.

One consequence of this quiet method of eruption has been to give to these colossal piles a wholly exceptional form among volcanoes. Instead of a huge cone crowning the apex of Mauna Loa, its summit is nearly a flat plain, 5½ miles long and nearly 4 miles wide. Within this plain is sunken a pit 3 miles long, 2 miles wide, and 1,000 feet in depth. In the floor of this pit at certain times may be seen a lake of red-hot liquid lava, varying in size from time to time, but occasionally as large as 30 or 40 acres. At intervals of fifteen or twenty minutes a column of liquid lava of great brilliancy, as large and as high as the Washington monument will be when it is completed, is shot upward and falls back into the lava pool in a fiery spray. This grand display is sometimes kept up for months, and is generally terminated by an eruption. When an outbreak occurs it does not take place usually at the summit, but a fissure suddenly opens in the side of the mountain, out of which a sheet of lava spouts hundreds of feet into the air, and, falling, collects into a river of fire half a mile in width, and rushes at first with great velocity down the slope. After running some miles it reaches more level ground, where it spreads out in great lakes or fields. It also cools on the surface, which gradually freezes over. But it is still hot within, and beneath its hardened covering the liquid rivers are still running, and at the edges and along the front of the great sheet the limpid lava constantly breaks forth, pushing out fiery rivulets in advance and laterally.

These rivulets are shot out in quick succession here, there, and everywhere, gradually covering the ground by repeated offshoots. They soon blacken and harden, but only to be covered by another and another belch. The later progress of the stream is slow. When the lava first leaves the vent it may run 10 or 15 miles an hour. But later on the stream may advance less than 100 yards in a day. In November, 1880, a great eruption broke forth near the summit of Mauna Loa, and the ava poured out in heavy streams unceasingly for eleven months. There were three great streams flowing in as many directions, and the largest one extended from the vent a distance of nearly 50 miles. It reached the outskirts of the beautiful little town of Hilo, whose inhabitants had abandoned all hope that their village would escape, and had removed their portable property. But the flow stopped just at the edge of the village.

The massive and highly liquid character of the flows from Mauna Loa is the cause which has given this mountain its peculiar form. It is in contrast with all other volcanoes by virtue of its flat and gently sloped profiles. It is a gently rising dome whose steeper slopes are only about 7 degrees, while its longer ones are only 4 degrees. Most volcanoes have slopes ranging all the way from 15 to 30 and even 40

degrees. The liquid lavas run off from the summit and upper dome and distribute themselves at immense distances. But if fragmental products were ejected in any quantity they would pile up around the orifices from which they were ejected and thus form steep conical hills.

The ascent of Mauna Loa is a feat wholly unworthy of the name of mountaineering. It is necessary, however, to procure a guide who knows the way, otherwise the journey is pretty sure to prove more interesting than was expected. Many of the lava streams are masses of clinkers of the most angular and cruel aspect imaginable; indeed, the hummocks of an arctic ice field are good traveling in comparison, and only a guide familiar with the mountain knows how to avoid them.

Just east of Mauna Loa, about 20 or 25 miles, is the far-famed volcano Kilauea. This has been visited and described so often that little needs to be said here. It contains a great pit similar to that on Mauna Loa, and somewhat larger, though not so deep.

Within it are the great lakes of fire always burning. The lake at the summit of Mauna Loa is frozen over and silent, without a trace of volcanic activity, for several years at a time, and is open only for several months or sometimes a year or so before a great eruption. But at Kilauea the lava lakes are always aflame, and have been so ever since the earliest traditions of the natives. Forty years ago there was a pit within a pit, and in the lowest deep was a lava pool half a mile or more in diameter, always boiling, spouting, and flaming. At the present time the inner pit is quite filled up with solid lava, and a large conical pile of rocks is built up over the site of this former lake. Within this pile of rocks, however, is the remnant of this lake, now about 10 acres in area. Half a mile distant is a second lake which is easily visited, and it is an exhilarating sight to stand at night upon the brink of it and watch the boiling, surging, and swirling of 6 acres of melted lava. At brief intervals the surface darkens over by the formation of a black solid crust with streaks of fire around the edges. Suddenly a network of cracks shoots through the entire crust, and the fragments turn down edgewise and sink, leaving the pool one glowing expanse of exactly the appearance of so much melted cast iron. The heat of fusion in this lake is maintained, in spite of the enormous loss of heat by radiation, by the constant ascent of large quantities of intensely hot vapors from the depths of the earth.

An hour's lecture, ladies and gentlemen, leaves no time for rhetoric and graceful transitions from one theme to another. Having shoveled out to you, so to speak, some incoherent remarks concerning points of special interest in the islands, I proceed at once to a subject which will, I hope, prove more interesting, and that is the people who inhabit them.

When we were boys and girls our general idea of the inhabitants of the Pacific islands was that they were typical savages. What savages were we knew pretty well, or thought we knew, for had we not all read Robinson Crusoe? We thought of them as naked, black creatures, whose principal occupation was blowing conch-shells, brandishing thigh bones, and dancing a horrible cancan around a fire where a human carcass was roasting. But we were mistaken. The Polynesians, as a rule, were not savages, though many of the white people who first visited them were so.

In the Pacific islands two very distinct races are found. Of one race the Hawaiians or Tahitians may be regarded as the type. This race peoples also the Society, Samoan, Navigators, and Friendly groups, and includes the Maoris of New Zealand. All these islanders have the

same physical features, similar social cults, and speak dialects of the same language. The difference between the language of a Hawaiian and of a Society islander is not greater than that between the German and the Dutch. The difference between the language of a Hawaiian and a Maori is less than between the Dutch and the English. This and the community of physical type establish the identity of race sufficiently. The western islands of the Pacific are occupied by a race which has such apparent affinity with the inhabitants of Papua or New Guinea as to raise a very strong presumption of their community, and the supposition is corroborated by many other circumstances. Of the two races, the first mentioned is much superior physically, mentally, and morally, and of all branches of that race the noblest is the Hawaiian.

Physically they are rather large, and have a light-brown color, straight hair, and are handsomely formed, of good bearing, and well featured. The women also are pleasing and comely. There is nothing about them savoring of the squaw, hag, or wench, which is almost universal among so many of the primitive dark-skinned races, and they are not without beauty, even according to the taste of the white man, if he is willing to admire a robust type of feminine grace as easily as he does the "pale, pious, pulmonary" persuasion. Among the Hawaiians the old kings and chiefs seemed to form a distinct caste and a breed greatly superior to the common herd. They were very large, sometimes almost gigantic in size, and of very impressive form and bearing. Their color was lighter, and they were of more massive frames.

At the time of the discovery of these islands by Capt. Cook, in 1776, these people were by no means savages. Their social system was as much above savagery on the one hand as it was below civilization on the other. A careful study of their habits and customs discloses the interesting fact that their social organization bore a striking similitude to that of Europe in the tenth and eleventh centuries. It was a feudal system almost exactly. They had kings who were in all strictness hereditary suzerains. Under them were chiefs who owed them fealty, and who held lands and titles by a tenure which can hardly be distinguished from enfeoffment, and which, at all events, was a truly feudal tenure; for it carried with it the recognition of the principle that the allodium was vested in the king alone, and the tenure was granted to the chief as a vassal in consideration of military service. The common people were mere villains, bound to the soil, though in some sort as tenants at will. The islands were divided up into several kingdoms, over each of which a king reigned, whose power was very absolute; in all things he was lord paramount. The kingdom was subdivided into tracts, for which the term now used in the islands is simply the word "lands." These lands were lorded over by chiefs, of whom there were several grades. They were subdivided again and again down to the smallest holdings, of a fraction of an acre, tenanted by the lower classes, and all were marked off by metes and bounds.

The power of the King was absolute, and limited only by the endurance of his subjects. Life and death, as well as property, were subject to his will; and yet there was a division of power. To make the parallel with mediæval Europe more complete, the power of the King was rivaled, and in some cases even overborne, by the power of a priesthood; and the priests enforced their sway with a spiritual weapon of resistless potency. The weapons of Rome were many, chief among which were excommunication, the inquisition, and the interdict. The Hawaiian priest had a weapon more powerful than them all. It was the tabu. This word has been adopted, metaphorically, into the Eng-

lish and many other languages, but few people comprehend its significance in the places where it originated. The word means prohibited or forbidden, and a great deal more besides. Almost anything might be tabu. The penalty of violating a tabu was always death. The institution derived its power from the fact that there was not a native in all Polynesia who did not devoutly believe that even if the King or priests did not cause him to be killed for violating a tabu the gods certainly would.

In respect to the arts possessed by these people they were few and simple. The islands contained no metals and very few substitutes for them, except stone, and not the best kinds of stone for implements at that. Considering the want of materials, however, their arts were hardly to be despised. They made many articles of wood with surprising neatness. Their only substitutes for cloth were a fabric made of a peculiar bark, macerated in water and pounded out as thin as paper, and mats woven from the fibers of the pandanus with no little skill. Their houses were large, commodious structures made of grass, often neatly woven, and attached to a framework of poles. They were scrupulously neat within, and matting of pleasing aspect was used abundantly. They were wonderfully expert fishermen, and had devices suited for capturing each kind of fish. More than that, they had fish ponds and preserves for rearing select varieties.

Agriculture was practiced systematically. They constructed canals for irrigating, the remains of which are still visible in numerous places. Their chief vegetable was the root of the taro plant, a species of arum to which the calla lilies belong. It may not be generally known that this is probably the most prolific food plant in the world. Humboldt gives that distinction to the banana, but the banana is nowhere in the comparison; for a square yard and a half planted with taro will yield food enough to support a man for a year. This plant is poisonous when raw, but cooking completely destroys the poisonous quality and renders it very wholesome. The Hawaiians first bake it and then pound it, gradually adding water, which is kneaded in like oil in a mayonnaise, and when fully prepared it is of a consistency very much like mayonnaise. In that state it is termed poi; and to this day the natives regard it as we do bread, and it serves still as their favorite food. Many of the white residents also have become exceedingly fond of it.

The primitive Hawaiians were very bold and skillful navigators. There can be no question that they frequently visited in their little canoes the Society Islands and Tahiti, south of the equator and 2,400 miles distant from Hawaii. How they could cross such vast wastes of ocean seems at first mysterious; but they had a knowledge of astronomy such as we sometimes marvel at in the old Egyptians and Chaldeans. They knew the planets, and had names for the brighter stars. They also had a good calendar. Their year was three hundred and sixty-five days long, and began when the Pleiades rose at sunset. They had twelve months, of which eleven had thirty days each, and the twelfth thirty-five days. They had also a primitive arithmetic and a system of numerals in which they could number up into the hundreds of thousands. It was partly decimal and partly tesseral.

The religion of this people was in some respects analogous to that of the Greeks. Their gods were hero gods and of many grades. Indeed, it is quite literal to say that the woods were full of them. Every locality, every conspicuous rock or tree, had its tutelar, corresponding perhaps to the Grecian fauns and dryads. They also had animal gods, most notably the shark god, and the divinity of the volcano of Kilauea

was a female named Pele. The amount of myth and legendary lore in which these divinities figured was something amazing. We have for some years been finding out that our own Indians were rich in myths, if nothing else. But the extent of such lore among the Hawaiians quite surpasses anything known of other primitive peoples. Many of them are highly poetical and ingenious.

The origin of the Polynesian race has always been a mystery. There is very little light thrown upon it as yet by ethnologic research. The view most favored is that they came from the East Indies at a remote period. That the larger islands of the Pacific have been inhabited for many centuries is an inference which finds considerable support. Attempts have been made to ascertain whether the language has any affinity to known languages of southeastern Asia, but the results are little better than negative. Some coincidences have been found, or supposed to have been found, but it does not seem that they are any better or more significant than such as may be frequently discovered between two languages which are surely known to have absolutely nothing in common. Coincidences between legends and customs have also been discovered. But ethnologists of the present day have come to attach less importance to them, if possible, than to languages. Thus the manners and customs, and also the legends, of the Maoris of New Zealand have very little in common with those of the Hawaiians. Yet the absolute identity of physical type and the virtual identity of their languages are tantamount to proof of a common race. And primitive peoples, world over, are constantly surprising us by furnishing correspondences in legends and peculiar customs, when it is absolutely certain that they are widely distinct. On the other hand, there is good ground for believing that if the Polynesians did not come from some known Asiatic or East Indian stock, they may at least have communicated with them in one way or another.

When the islands were discovered by Capt. Cook pigs were very abundant there, and the animal was an East Indian variety. The peculiar tusks, the portentiously long snout like an icthyosaurus, and ears set in the middle of its body, give us pretty reliable testimony as to its origin. They also had dogs, and certainly no dog could have come either from America or Australia. Finally, and even more conclusively, they had common hens and chickens, which are certainly of Asiatic origin. What people brought these animals to the islands is a question. I have already mentioned to you that the Hawaiians often made voyages to Tahiti in their little canoes, a distance of 2,400 miles; and their ancient poems and legends are full of vague accounts of voyages to even greater distances. They knew of the Samoan and Tonga islands, which are more than 3,000 miles away and farther westward. Possibly also they knew of New Zealand, but the evidence of that is not so clear. But I have never learned that anything in their poetry or traditions indicated a knowledge of either America or Asia. While, therefore, it is not impossible that they may have had communication with Asia, there is no other evidence of it than the fact that domestic animals of Asiatic origin were found among them.

The transition of this people from barbarism to civilization has been wonderfully rapid and complete. It is a very remarkable fact, too, that it is the only dark-skinned race that has ever been brought into full contact and relation with civilization without war and generations of bloodshed, ending in subjugation. The reasons are many. Prominent among them are the following: In the first place, there can be little question that it is the finest and most intelligent race of dark-

skinned people in the world. In the second place, it is due in a great measure to the wisdom, tact, and good sense of the missionaries through whom this civilization was imparted. But it seems to me the third reason is still more potent, and this was the great ability, wisdom, and good sense of the kings of the line of the Kamehamehas and the absolute power they originally held over their people.

Fortunately, also, at the time of the advent of the white men the control of the islands had already been consolidated into the hands of one man, who was fully capable of wielding it. If the lot of the first Kamehameha had been cast in Europe instead of the remotest islands of the sea he would have been one of the most conspicuous figures of history. Originally a little kinglet of a district at the north end of Hawaii, he gradually conquered the whole of that island and finally the whole group. No King in history ever knew better how to rule his people. Brought into contact with civilization, he grasped its meaning with a breadth of comprehension which is perhaps without example among barbarians. He knew instinctively how resistless was its power and how inexorably it crowds the weaker races to the wall. But he had the wisdom not only to avert the destruction of his own power and the obliteration of the nationality of his people, but actually to draw strength from it and make it his servant instead of his master. The greatest achievement of his life was the work of his declining years, and it was an achievement of surpassing skill. He broke completely the secular power of the priesthood. He had the sagacity to discover alone and unaided the grandest truth in political science, and one which white men never discovered until three or four centuries ago. That great truth was that church and state had better let each other alone. We need not wonder, however, that he discovered it, for the Kings of Europe understood it well enough; indeed they were about the only ones who did. The marvel was that this barbarian should have had the courage and address to make the truth a practical reality and put it into execution. It is one thing to perceive the foolishness of superstition and quite another to break down a whole religion. When Kamehameha began his career the priesthood was far more powerful than he. When he died they were as powerless in secular matters as the Pope now is in Italy. The finishing stroke was given when his dead body, as yet unburied, was awaiting the obsequies. His widow and son deliberately broke many of the most sacred tabus, and enjoined the same sacrilegious acts upon their households and followers. They were promptly obeyed, and the example was followed by the whole nation. Next the temples were despoiled, the images of the gods broken and burned, and the priests themselves driven into the forests and jungles.

An act so sweeping and revolutionary as the trampling under foot of the most binding superstition or religious conviction that ever held sway over the human race would never have been ventured if the people had not been gradually wrought up to it. In truth, Kamehameha had first revolutionized the whole social and political condition of the people, and had elevated them immensely against the influences of a priestcraft which was all the time striving to hold them down. When the issue came the King triumphed and the priest was overthrown. It was probably this change which prepared the Hawaiian people for what followed. It established the kingly power independently of a priesthood and left the people without a religion.

The year following this important event the missionaries landed there for the first time. They soon secured the good will of the second Kamehameha and found their work a comparatively easy one. To the

missionaries is due the credit of having been the agents through whom civilization was imparted to the islands. Those who are specially devoted to the interests of foreign missions have been in the habit of regarding the Hawaiian Islands as a signal instance of the triumph of Protestant propagandism. On the whole, there is a large measure of justice in this claim. But, on the other hand, a closer view will probably disclose to the impartial mind the fact that, while the amount of Christian proselytism has been very considerable, the outside view of it is somewhat overdrawn.

There are certainly many devout Christians among the Hawaiians, but there are also many who cherish their old religion, and the greater part of them are more or less tinctured with the ancient superstitions. But whatever doubts may arise as to the complete success of the propaganda, there can be none as to the success in imparting civilization. Fortunately, they had to deal with and through a succession of kings who were men of preeminent sense and of practical wisdom, and who knew how to manage their subjects. They were kings in the best possible signification. Royalty was inborn in them, and the loyalty of their subjects was such that the loyalty of an Englishman is a feeble sentiment in comparison. The Kamehamehas, from the II to the V, inclusive, were quick to recognize the advantages of civilization, and had wonderful tact in discriminating between good and bad advice. The missionaries proved to be discreet and judicious advisers, and the transition from barbarism to civilization was effected safely, step by step; the Government was transformed into a constitutional monarchy, the feudal tenure of lands was changed to fee simple. Statute laws were enacted and codified, and suffrage was made as broad and liberal as in America. Perhaps the most important step was compulsory education, which is provided for by the State, and to-day it is hard to find a native who can not read, write, and cipher.

The economic condition of the Hawaiian is probably superior at the present time to that of any other tropical people in the world; and, on the whole, I think it quite safe to say that it is but very little surpassed, if at all, by that of the working classes of America. He has even more to eat and better food, plenty of beef, pork, and fish, and could have an abundance of flour if he desired it, but he prefers his taro. He owns his property in fee; he makes laws and executes them; he reads and writes; he has but one wife; he tills the soil and tends flocks; sometimes he accumulates wealth and sometimes he does not; he makes his will in due form, dies, and receives a Christian burial; in no land in the world is property more secure. Indeed, I have yet to learn of any where it is equally secure from burglary, rapine, and thievery or those subtler devices by which the cunning get possession of the property of the less astute without giving an equivalent for it. The few relics of barbarism remaining are of the most harmless description, and probably quite as good for him as anything he might adopt in place of them.

Unfortunately, the population is rapidly decreasing. A century ago a fair estimate would probable have been over 150,000. To-day the native population is 45,000 to 50,000. The causes of this decrease are many. It has usually been attributed to diseases brought by contact with the whites. While it is indisputable that such diseases have in a measure contributed to the result, I believe there is still another cause at work tending to the same result, which is as follows: The Hawaiian is the most amiable and social creature in the world. Life without plenty of society is intolerable to him. He is also fond of display—of

giving feasts, of treating, and extravagantly fond of dress, horses, and sport. His instinct is to leave the country and crowd into the towns. This is as common among the women as among the men. But to live in town, or to indulge in dissipation, requires money, and therefore a family is a burden, especially to women, who are so fond of gaiety. There is, therefore, a deliberate and willful curtailment of the birth rate, and, in my judgment, this has been not much less potent in reducing the population than the abnormal increase in the death rate.

The Government of the islands is now a constitutional monarchy. The King is the chief executive officer, and his powers, though in theory no greater than those of the English sovereign, are in reality much more extensive and effectual. The legislative branch consists of a representative assembly, elected biennially by the people, and a house of nobles limited by the constitution to 20 members. The nobles are appointed for life by the King, but their titles are not hereditary. The judiciary is organized upon a plan somewhat similar to that of New York State, though considerably simpler. At the head of the judicial branch is the chief justice or chancellor and two vice-chancellors, who perform the functions of a supreme court and final court of appeals. They have also original jurisdiction in a wide range of subjects, and indeed in almost all important cases of whatsoever nature. Each of these justices holds circuit courts in various parts of the Kingdom, at which cases are tried both originally and on appeal. There are also lower courts in which petty cases are tried, and in which more important ones may originate. The higher judges are white men truly learned in the law, and they have reflected honor upon their profession and upon their adopted country. All of them are Americans, who received their education and training in law in the United States. The primary judges are in some cases whites, in others natives. The native judges were formerly appointed by the chancellor, but are now appointed by the Crown. There is generally much difficulty in finding men of native birth who possess the requisite legal knowledge and experience. Their intentions are always of the best, but their tendency is to construe law in accordance with their own notions of abstract justice rather than upon legal principles, and few of them are capable as yet of understanding the value and significance of precedents. But the higher courts are always open to appeal. The administration of law is excellent and will, on the whole, compare favorably with any country in the world. The respect of the native for statute law is very great, and the sheriff, policeman, or taxgatherer has no more difficulty in executing his process than in England or Massachusetts; indeed, he has, if anything, less difficulty.

The statutory code is in general modeled after that of New York, though it is apparent that in matters of detail many minor differences were at the first and still are necessary. But the underlying principles were identical. The tenure of real estate, the laws relating to liens and mortgages, to wills and inheritance of property, to bankruptcy and debt, to marriage and divorce, to partnership and corporations, are founded upon those of New York State. The system of jurisprudence is also fundamentally the same. There are many differences of detail and these are sometimes wide, but never so wide as to constitute differences of principle. The processes of the courts are more frequently summary, and their action is much more speedy and direct. Devices for protracting and complicating litigation have not as yet been developed to any great extent.

All laws are enacted by the Legislature, which regulates taxation and customs and appropriates specifically for all public expenditures. In theory the powers of this body are very nearly the same in their broader features as those of one of our State legislatures. The members of the lower house are elected biennially and are mostly natives. In practice, however, there is a wide difference. In England and America the representative body dominates everything and everybody, especially the chief magistrate. In Hawaii the King dominates the representative body. This arises from the fact that this people has always been intensely loyal to the King for scores of generations, and the habit of unquestioning submission to the royal will is far too strongly settled and ingrained to be readily shaken off. The want of experience in self-government on the part of the people, and the habit of absolute command on the part of the kings, will suggest the explanation of the great influence which the King holds over the Legislature.

At the present time the condition of the people of the islands is one of great prosperity, and they are rapidly advancing in wealth and general improvement. The reciprocity treaty now existing between the islands and the United States has been mutually beneficial. Large amounts of American capital have been invested there in sugar plantations and in the commerce with the little Kingdom. The result has been to give abundant employment to the entire population. Wages are high, and all the produce of the islands brings good prices. Thus the condition of the natives has been greatly improved. They are no longer idlers, but the recipients of well-earned wages and incomes. They are rapidly replacing their primitive grass houses with neat frame buildings, built in the regular California cottage style. They have adopted civilized clothing, hats, boots, and shoes, and the women cultivate the fashions as eagerly as our own farmers' wives and daughters, and it is by no means uncommon to see them clothed in silks or delicate woolen fabrics, or white lawns made in scrupulous regard to the latest numbers of Harper's Bazaar. They wear them as easily and naturally as the mulattoes or quadroons in our own country. The women of rank are ladies who are competent to sustain with grace and dignity all the appearances of cultivated society, though it would be expecting too much to look for any high degrees of mental culture according to the rigorous standard of the great white nations. Both men and women, however, are quick to catch the externals of social customs and refinement. The better culture, however, will come in time as wealth and the comforts and luxuries of civilized life increase among them.

One of the most important agencies, and perhaps the most important, has been the enforcement of education. Common schools are sustained at public expense, and a college for the higher education has been established. Unfortunately the natives have never been taught to speak the English language, and this has been a serious obstacle in the way of their intellectual advancement. It is far easier for a white man to acquire the Hawaiian language than for the Hawaiian to acquire English, and as a consequence few of the natives are able to converse or read except in their own tongue. On the other hand, the white residents can converse easily with the natives, and some of them have obtained an excellent knowledge of the Hawaiian language, while almost all the whites can at least use an intelligible jargon. The defect is in some measure offset by the extensive use of books and newspapers printed in the Hawaiian language, and by a postal system which, under the circumstances, is a highly creditable one to the

nation. By means of the newspapers the natives are kept fully informed about their own affairs, and receive considerable knowledge of the great far-off world beyond the sea. That the papers and postal system have been of great potency and utility to them is sufficiently apparent.

Whoever wishes for a delightful and instructive journey will do well to visit these islands. They are only seven days' sail from San Francisco in a first-class steamer, and across an ocean which is rarely troubled with storms. He will find scenery as beautiful as any in the world and as novel as it is beautiful. He will find charming society among his own people residing there, and unbounded hospitality. If he is philosophically disposed he will find many instructive subjects for his contemplation. If, without forgetting for a moment the splendor of the civilization in which he has been reared, he can rise above its prejudices, and if he is able to study men and human society from a relative rather than an arbitrary standpoint, and judge them according to the fundamental principles of human nature, he will find his own humanities greatly enlarged and he will be much instructed and benefited.

VIII. ALSO THE FOLLOWING PAPER PREPARED BY HON. SANFORD B. DOLE AND READ BEFORE THE HAWAIIAN HISTORICAL SOCIETY DECEMBER 5, 1892.

[Papers of the Hawaiian Historical Society No. 3.]

EVOLUTION OF HAWAIIAN LAND TENURES.

[Read before the Hawaiian Historical Society, December 5, 1892, by the Hon. Sanford B. Dole.]

When the Hawaiian pilgrim fathers first landed on the lonely coast of Hawaii from their long and exhausting ocean voyage in their canoes decked with mats and rigged with mat sails, it was for them a new departure in government and social and industrial economy. Their past, with its myths of origin, its legends of struggling and wandering, its faiths and customs, and rites and ceremonies, its lessons of victory and defeat, its successes over nature, was still their present authority and paramount influence, as they feebly began a new social enterprise upon the desolate yet grand and beautiful shores of their new inheritance.

Their past still held them through its venerable sanctions, and yet they were free in the freedom of a new and unoccupied land to add to its accumulations and to improve on its lessons.

We may imagine that the remnant of the freight of their storm-worn canoes included a few household idols, a live pig or two, some emaciated chickens, a surviving bread-fruit plant, *kou*, and other seeds.

There were women as well as men in the company; the little children had succumbed to the hardships of the voyage which was undertaken to escape the indignities and confiscations incident to the status of a defeated party in tribal warfare.

These people, lean and half-famished, gladly and with fresh courage took possession of their new world. As soon as they recovered their strength they built a *heiau** and sacrificed to their gods.

After a little exploration they settled in a deep valley sheltered by steep cliffs and watered by an abundant stream of clear water, abounding in fish and shrimps. At the mouth of the gorge was the sea, where

Heiau—temple.

there were shellfish, crabs, and a variety of fish. Fruits of various kinds flourished on the hillsides, some of which they were acquainted with, while others were new to them. They found varieties of the *kapa** plant, and understanding the process of making its bark into cloth, they restored their wardrobes which had for the most part disappeared in the vicissitudes of the voyage. They also discovered the *taro*† growing wild in mountain streams, which they hailed as an old friend, feeling that now their satisfaction with their new home was complete. The cultivation of this was begun at once as a field or dry-land crop, as had been the practice in the home land, but as time went on and some crops failed for want of rain, irrigation was used, until at length, it may have been generations after, the present method of cultivating the crop in permanent patches of standing water became established. This result was greatly favored by the abundance of running water, which was a feature of the country.

Children were born and grew up and intermarried, and the colony grew and prospered. Exploring parties went out from time to time, and other watered valleys were found, and bays and reefs rich in fishing resources. As the community began to crowd the limited area of the valley which was their first resting place, one and another of these newly discovered and favored localities was settled, generally by a family consisting of the parents and grown-up boys and girls. And now and then new companies of exiles from the southern islands found their weary way over the ocean, bringing, perhaps, later customs and adding new gods to the Hawaiian pantheon.

So Hawaii was gradually populated, and when its best localities were occupied, Maui began to be colonized, and then its adjacent islands, until the whole group was stocked with people.

There may have been a few chiefs in the pioneer company who largely directed the affairs of the colony, and whose descendants furnished chiefs for the growing demands of the branch colonies. Among the new arrivals also from the outside world were occasional chiefs, who were hospitably welcomed and accredited as such, and accorded corresponding position and influence.

It is also probable that in the very early period when chiefs were scarce the head men of some of the settlements which had branched off from the parent colony acquired the rank of chiefs, from the importance of their positions and the influence which their authority over the lands of their respective settlements naturally gave them. Such acquired rank descended to their children, in some cases doubtless with an increase of dignity due to marriages with women of chief rank; and so some new families of chiefs, originating from the common people or *makaainanas*,‡ were established.

This early period of Hawaiian history for a number of generations was a time of industrial enterprise and peaceful and prosperous growth. There was no occasion for fighting, for there was land and water enough for all and every one was busily employed. It was the golden age of Hawaii. There were *taboos*§ indeed, but only religious ones. No chief was powerful enough yet to proclaim *taboos* for political purposes, nor had the necessities for political *taboos* yet arisen. The arts prospered; the Hawaiian canoe developed; the manufacture of *kapa* flourished and made progress in the direction of variety of fabric and its esthetic finish and decoration; royal garments of birds' feathers were manufac-

Kapa—native cloth.
†*Taro*—arum esculentum.
‡ *Makaainanas*—common people.
§ *Taboo*—repressive enactment.

tured; implements of stone and of wood for mechanical and industrial work were invented and improved upon; and great engineering enterprises were taken, such as the irrigating systems of Wahiawa, Kapaa, and Kilauea on the island of Kauai, and great sea walls inclosing bays and reefs for fish-ponds, such as the one at Huleia, on Kauai, and at many other places all over the islands. The antiquity of some of these is so great that even tradition fails to account for their origin, as in the case of the parallel irrigating ditches at Kilauea, on Kauai, the digging of which is attributed by the Hawaiians to the fabled *moo*, or dragon, and the deep water fish-pond wall at the Huleia River, on Kauai, which is supposed to have been built by the *Menehunes*—the fabled race of dwarfs, distinguished for cunning industry and mechanical and engineering skill and intelligence. In reality they were the pioneers of the Hawaiian race, who took complete industrial and peaceful possession of the country, and this early period is distinctly the age of the *Menehunes*, or skillful workers.

Principles of land tenure developed slowly through this period, probably from some form of the patriarchal system into a system of tribal or communal ownership. There was land enough for everyone, and holdings at first were based upon possession and use.

As in the irrigating customs of the Hawaiians, where there was an abundance of water, every *taro* grower used it freely and at all times according to his own convenience, and there were no regulations, but in those localities where the water supply was limited strict rules for its distribution grew up; so that when the land was not all occupied there was freedom in its use, it being easier to locate new holdings than to quarrel about old ones.

But as land irrigation developed, requiring permanent and costly improvements in the way of irrigating ditches and the building of terraces on the valley slopes for the foundation of *taro* patches, such improved localities acquired a special value, and the more real sense of ownership in land, which is based upon an investment of labor in the soil beyond the amount required for the cultivation of a crop, began. A quality of this ownership was necessarily permanence, because of the permanence of the improvements which created it.

Another element of tenure arose as the population increased, and the best lands became occupied; the increasing demand gave them a market value, so to speak, which gave rise to disputes over boundaries. Although such feuds, sometimes attended with personal violence, favored the development of the later feudalism of the Hawaiians, yet the early period, containing many of the features of tribal government and land tenure common to the Samoans, Fijians, and Maories of New Zealand, probably lasted for a long time, with a gradual development of the principle of ownership in land and descent from parent to child, subject to tribal control, until it was perhaps radically and violently interrupted by the turbulent times beginning in the thirteenth century, and lasting until the conquest of the group by Kamehameha I. This was a period of internecine warfare, promoted by the ambition of chiefs for political power and personal aggrandizement, and was most favorable to the growth of feudalism, which rapidly took the place of the previous political status. As was inevitable under the new conditions, the importance and influence of the chiefs was greatly increased, to the immediate prejudice of the rights and privileges of the people, who were oppressively taxed in support of the wars brought on by the whim of their respective rulers, or to defend them from the attacks of ambi-

tious rivals. The growing necessity for protection of life and property caused everyone to attach himself closely to some chief, who afforded such protection in consideration of service and a portion of the produce of the soil. Then the chiefs, as their power increased, began to levy contributions of supplies arbitrarily, until it came to pass that the chief was the owner of the whole of the products of the soil and of the entire services of the people, and so it was a natural consequence that he became finally the owner also of the soil itself. These results, which were hastened by the constant wars of this period, were yet of slow growth. The small valley and district sovereignties one by one disappeared in the clutch of rising warrior chiefs, who thus added to their dominions and power. As such principalities became formidable, it became necessary for the remaining smaller chiefdoms to ally themselves to some one of them. And so this process went on until each island was at length under the control of its high chief, and then finally the whole group passed under the sovereignty of Kamehameha I., and the feudal programme was complete.

During this period the control of land became very firmly established in the ruling chiefs, who reserved what portions they pleased for their own use and divided the rest among the leading chiefs subject to them. The position of the latter was analogous to that of the barons of European feudalism; they furnished supplies to their sovereign, and in case of war were expected to take the field with what fighting men their estates could furnish. These barons held almost despotic sway over their special domains, apportioning the land among their followers according to the whim of the moment or the demands of policy, or farming it out under their special agents, the *konohikis*,* whose oppressive severity in dealing with the actual cultivators of the soil was notorious. Thus the occupancy of land had now become entirely subject to the will of the ruling chief, who not only had the power to give but also to take away at his royal pleasure. This despotic control over land developed in the direction of greater severity rather than toward any recognition of the subjects' rights, and it finally became an established custom for a chief who succeeded to the sovereign power, even peacefully by inheritance, to redistribute the lands of the realm.

It is evident that this status was, for the time being, disastrous and destructive to all popular rights in land that may have previously existed. If there was formerly anything like succession in tenure from father to son and tribal ownership, such holdings were now utterly destroyed, and the cultivators of the soil were without rights of cultivation or even of habitation. "The count was full of people who were *hemo*, i. e. dispossessed of their lands at the caprice of a chief. Three words from a new to a former *konohiki**—'*Ua hemo oe*'†—would dispossess a thousand unoffending people and send them houseless and homeless to find their *makamakas*‡ in other valleys." (Alexander's reply to Bishop Staley.)

The redistribution of lands upon the accession of a ruling chief was naturally carried out with great severity when his accession was the result of civil war between rival factions or the triumph of an invading army. In the case of a peaceful accession of a young chief to sovereign power, the redistribution was mainly to his personal friends and companions, and was less complete than in the case of a revolution of force. Very influential men of the previous reign would not be dis-

Konohiki—land agent of chief. †*Ua hemooe*—you are removed.
‡*Makamaka*—friend.

turbed, both because it would be dangerous and impolitic to do so, and because their assistance was desired. A curious survival of this feudal custom of redistribution of power and land upon the accession of a new ruler is recognizable in the equally reprehensible sentiment of modern politics expressed in the well-known words, "to the victors belong the spoils."

When Kamehameha I conquered the group, excepting the island of Kauai, which was accomplished only after the most desperate fighting, his success carried with it the fullest and severest application of this custom, and it meant to his defeated enemies loss of all political power and of the lands which were the basis of such power. The island of Kauai, through the treaty of annexation between the King of that island, Kaumualii, and Kamehameha, might have escaped such misfortunes but for the rebellion of Humehume, the son of Kaumualii, some years later, which, being suppressed, subjected the insurgent chiefs to the rigorous rule of confiscation of their lands and the annihilation of their political influence.

Thus Kamehameha became at last, through these feudal customs and by virtue of his conquest, the fountain head of land tenures for the whole group. The principles adopted by the land commission in 1847 opens with the following statement:

"When the islands were conquered by Kamehameha I he followed the example of his predecessors and divided the lands among his principal warrior chiefs, retaining, however, a portion in his hands to be cultivated or managed by his own immediate servants or attendants. Each principal chief divided his lands anew, and gave them out to an inferior order of chiefs or persons of rank, by whom they were subdivided again and again, passing through the hands of four, five, or six persons, from the King down to the lowest class of tenants. All these persons were considered to have rights in the lands or the productions of them. The proportions of these rights were not very clearly defined, but were, nevertheless, universally acknowledged."

During Kamehamena's long and vigorous reign affairs became settled to an extent to which the country had been unaccustomed. Long and undisturbed possession of their lands by chiefs was a preparation for the development of a sentiment favorable to permanent individual rights in land. Such a sentiment had become well defined in the mind of Kamehameha before his death, and may be regarded as the seed germ of the system of land tenures which afterwards developed.

Many of those who have been interested in this subject have been accustomed to regard the idea of private rights in land in these islands as one of foreign introduction during the reign of Kamehameha III, at which time the remarkable change from feudal to private real estate control took place. But the landed reforms of that reign were the results of causes which had been long and powerfully at work. The century plant had slowly grown, but when its full time came it swiftly and abundantly blossomed.

At the meeting of chiefs at Honolulu, upon the arrival of the frigate *Blonde*, in 1825, with the remains of Kamehameha II and his wife, to consider the question of the succession to the throne and other matters, as reported in the Voyage of the *Blonde*, page 152 and following, Kalaimoku, the regent, in his address to the council, referred to the inconveniences arising from the reversion of lands to the King on the death of their occupants—a custom partially revived under Kamehameha II, but which it had been the object of Kamehameha I to

exchange for that of hereditary succession. This project of their great King he proposed to adopt as the law, excepting in such cases as when a chief or landholder should infringe the laws, then his lands should be forfeited and himself *tabooed.* Several chiefs at once exclaimed: "All the laws of the great Kamehameha were good; let us have the same!"

Lord Byron, captain of the *Blonde,* presented the council some written suggestions in regard to the administration of affairs which are contained the following article: "That the lands which are now held by the chiefs shall not be taken from them, but shall descend to their legitimate children, except in cases of rebellion, and then all their property shall be forfeited to the King." The account proceeds as follows (page 157): "These hints, it will be at once perceived, are little more than a recommendation quietly to pursue the old habits and regulations of the islands. Kamehameha I had begun to establish the hereditary transmission of estates, and Lord Byron's notice only adds the sanction of the British name to it."

This principle, adopted previous to the reign of Kamehameha III, greatly influenced the progress of events.

When, after the death of Kamehameha I, his son, Liholiho, came to the throne as Kamehameha II, the administration of the Government was shared with him by Kaahumanu, the *Kuhina Nui,** one of Kamehameha's widows, and a woman of great force of character. It was the desire of Kamehameha II to make a redistribution of the lands of the realm according to custom, but Kaahumanu was opposed to it, and her influence, together with the united strength of the landed interests which had become firmly established in the chiefs during the long reign of Kamehameha I, was too strong for him, and beyond a few assignments among his intimate friends, he relinquished his purpose. The distribution of lands therefore by Kamehameha I remained for the most part as a permanent settlement of the landed interests of the Kingdom, to be afterwards modified in favor of the common people and the Government, but never ignored.

During the period from the distribution of lands by Kamehameha I, about 1795, till the year 1839, the sovereign held a feudal authority over the whole landed estate of the Kingdom, which included the right, as above set forth, summarily to cancel the rights in land of any chief or commoner. There was a growing tendency, however, during this period toward the provision in favor of the descent of lands from parent to child adopted by the chiefs upon the return of the *Blonde,* and the feudal right of the sovereign over the land of the subject was more rarely exercised as time went on. Increasing security in tenure led to increasing activity in land transactions. Chiefs transferred lands to others, and they became a marketable commodity. There was buying and selling—some speculating. The sovereign gave away and sold lands here and there. Foreigners became landholders. Still there was no permanence in the tenure, the enactment by the chiefs at the time of the *Blonde* being in the nature rather of an expression of an opinion than a binding law. The Kingdom then was under the regency of Kaahumanu and Kalanimoku, and Kamehameha III, being still a minor, was not a party to this provision and it was not regarded as binding upon him.

The status of land matters at this time was similar to that which existed in England after the Norman conquest, but here the progress of events, owing undoubtedly to the influence of a foreign civilization,

* *Kuhina Nui*—a premier or minister having a veto on the King's acts.

was far more rapid than there. The possession of land by foreigners with strong governments back of them, represented here by men of war and zealous consuls, had a stimulating effect upon this movement. It was a transition period; the strength of the feudal despotism was fast waning and there was as yet nothing of a positive nature to take its place. This uncertainty in regard to land tenure was a serious obstacle to material progress. The large landholders—the chiefs and some to whom they had given or sold lands—felt a degree of security in their holdings through the growing sentiment toward permanent occupation and hereditary succession; but this was insufficient to place land matters upon a satisfactory footing and to justify extensive outlays in permanent improvements. But that class of occupiers of land known as tenants, which class included a large proportion of the common people, was still in a condition which had scarcely felt the favorable influences which had begun to improve the status of the chiefs. They were hardly recognized has having civil rights, although they enjoyed freedom of movement and were not attached to any particular lands as belongings of the soil. If a man wanted a piece of land to live on and to cultivate he had to pay for it by a heavy rent in the shape of regular weekly labor for his landlord, with the additional liability of being called upon to assist in work of a public character, such as building a *heiau* or making a road or fish-pond sea wall. With all this the tenant was liable to be ejected from his holding without notice or chance of redress. That this defenseless condition of the common people was rigorously taken advantage of by the landholding chiefs and their *konohikis*, we have the evidence of those living in this period, including some of the early missionaries, that it was a feature of the times that large numbers of homeless natives were wandering about the country. This want of security in the profits of land cultivation led many to attach themselves to the persons of the chiefs as hangers-on, whereby they might be at least fed in return for the desultory services which they were called upon to perform in that capacity. This practice of hanging-on or of following a chief for the sake of food was a feature of the perfected feudalism, when insecurity of land tenure was at its height, and the word defining it—*hoopilimeaai**—probably originated at that period.

In 1833, Kamehameha III, then 20 years old, assumed the throne, and soon became deeply interested in public affairs. In many ways the unsatisfactory status of land matters was pressed upon his attention. The growing sentiment toward permanence in tenure powerfully influenced the situation. The defenseless and wretched condition of the common people in regard to their holdings appealed to his humanity and to his sense of responsibility as their ruler. The inconsistency of his sovereign control of all the lands of the Kingdom with any progress based upon the incoming tide of civilization became more and more evident every day. The increasing demand among foreigners for the right to buy and hold land was an element of importance at this national crisis and doubtless had much to do in hastening the course of events. The King not only consulted the great chiefs of the realm, who certainly were in favor of permanence in tenure for themselves, but he also conferred with foreigners on the subject. In 1836 Commodore Kennedy and Capt. Hollins visited Honolulu in the U. S. ships *Peacock* and *Enterprise*, and during their stay held conferences with the chiefs, in which the question of land tenure was discussed. In 1837, Capt. Bruce of the British frigate *Imogene*

* *Hoopilimeaai*—adhering for food.

had several meetings with the chiefs in regard to matters of government, when, in all probability, land matters were considered. The influence of Mr. Richards, for a long time the confidential adviser of the chiefs was undoubtedly very great with the King in leading his mind to the definite conclusion which he reached in 1839, in which year, on the 7th day of June, he proclaimed a bill of rights which has made his name illustrious, and the day on which it was announced worthy of being forever commemorated by the Hawaiian people. This document, though showing in its phrases the influence of Anglo-Saxon principles of liberty, of Robert Burns and the American Declaration of Independence, is especially interesting and impressive as the Hawaiian Magna Charta, not wrung from an unwilling sovereign by force of arms, but the free surrender of despotic power by a wise and generous ruler, impressed and influenced by the logic of events, by the needs of his people, and by the principles of the new civilization that was dawning on his land.

The following is the translation of this enlightened and munificent royal grant:

"God hath made of one blood all nations of men to dwell on the earth in unity and blessedness. God hath also bestowed certain rights alike on all men and all chiefs and all people of all lands.

"These are some of the rights which He has given alike to every man and every chief of correct deportment; life, limb, liberty, freedom from oppression, the earnings of his hands and the productions of his mind—not, however, to those who act in violation of the laws.

"God has also established government and rule for the purpose of peace; but in making laws for the nation it is by no means proper to enact laws for the protection of the rulers only, without also providing protection for their subjects; neither is it proper to enact laws to enrich the chiefs only, without regard to enriching their subjects also, and hereafter there shall by no means be any laws enacted which are at variance with what is above expressed, neither shall any tax be assessed, nor any service or labor required of any man in a manner which is at variance with the above sentiments.

"The above sentiments are hereby proclaimed for the purpose of protecting alike both the people and the chiefs of all these islands while they maintain a correct deportment; that no chief may be able to oppress any subject, but that chiefs and people may enjoy the same protection under one and the same law.

"Protection is hereby secured to the persons of all the people, together with their lands, their building lots, and all their property, while they conform to the laws of the kingdom, and nothing whatever shall be taken from any individual except by express provision of the laws. Whatever chief shall act perseveringly in violation of this declaration shall no longer remain a chief of the Hawaiian Islands, and the same shall be true of the governors, officers, and all land agents. But if anyone who is deposed should change his course and regulate his conduct by law, it shall then be in the power of the chiefs to reinstate him in the place he occupied previous to his being deposed."

It will be seen that this bill of rights left much to be done in defining the rights in land granted by it. It appears by the constitution enacted by the King, the *kuhina nui*, or premier, and the chiefs, the following year, that the feudal right of controlling transfers of land was still retained in the Sovereign, in the following words: "Kamehameha I. was the founder of the kingdom, and to him belonged all the land from one end of the islands to the other, though it was not his own private property. It belonged to the chiefs and people in common,

of whom Kamehameha I. was the head and had the management of the landed property. Wherefore there was not formerly and is not now, any person who could or can convey away the smallest portion of land without the consent of the one who had or has the direction of the kingdom."

The bill of rights promoted activity in land matters, and for the next few years difficulties arising from land disputes pressed upon the King, producing great confusion and even endangering the autonomy of the kingdom. In 1841, Ladd & Co., the pioneers in sugar cultivation in this country, obtained from the King a franchise which gave them the privilege of leasing any unoccupied lands for one hundred years at a low rental. This franchise was afterwards transferred to a Belgian colonization company of which Ladd & Co. were partners, under circumstances that made a good deal of trouble for the Hawaiian Government before the matter finally disappeared from Hawaiian politics. The intimidation of the King by Lord Paulet, captain of the British frigate *Carysfort*, under which the provisional cession of the country to England was made in 1843, was based largely upon a land claim of Mr. Charlton, an Englishman, which was regarded by the King as illegal, but which he finally indorsed under Paulet's threat of bombarding Honolulu. These troubles naturally developed among the Hawaiians an opposition against the policy of allowing foreigners to acquire land which, in 1845, reached the definite stage of political agitation and petitions to the Government.

During these years of undefined rights, the common people were protected in their holdings by law to a certain extent, but their tenure was based mainly upon their industrious cultivation of their lands, except as to house lots and the payment of rent in labor.

The question of the proportionate interests of the King, the chiefs, and the common people in the lands of the kingdom was one of great difficulty. As we have seen, the constitution of 1840 distinctly recognized such a community of interest, but Hawaiian precedents threw no light upon the problem of division. It had been a new departure to admit that the people had any inherent right in the soil, and now to carry out that principle required the adoption of methods entirely foreign to the traditions of Hawaiian feudalism.

In this transition time the necessity of an organized government separate from the person of the King, became apparent even to the chiefs, and this was carried out by three comprehensive acts in 1845, 1846, and 1847. The first, "to organize the executive ministry of the Hawaiian Islands;" the second, "to organize the executive departments of the Hawaiian Islands;" and the third, "to organize the judiciary department of the Hawaiian Islands."

As soon as the existence of a responsible government, detached from the person of the King, became an accepted feature of the political system, it was felt that in some way or other the Government ought to have public lands and become the source of land titles. At its inception the Government, as a distinct organization, was possessed of no landed property; it may be said to have had a right to that portion of the King's interest in the landed property of the Kingdom which he held in his official capacity, in distinction from that which belonged to him in his private capacity; but this was a mere theoretic right, dimly recognized at first, and only after innumerable difficulties and fruitless expedients was it finally developed and carried out in the great *mahele* or division of lands between King, chiefs, and people in 1848. Elaborate laws were made for the purchase of land by the Government from private land-

holders which do not appear to have added materially to the public domain.

The act to organize the executive department contained a statute establishing a board of royal commissioners to quiet land titles. This statute was passed December 10, 1845. It was a tentative scheme to solve the land problem, and though not in itself sufficiently comprehensive for the situation, it was in the right direction, and led, through the announcement of principles of land tenure by the commission, which were adopted by the Legislature, to a better understanding of the subject, and finally, in the latter part of 1847, to the enactment by the King and privy council of rules for the division of the lands of the Kingdom, which, with the statute creating the land commission and the principles adopted by them, formed a complete and adequate provision for the adjustment of all recognized interests in land on the basis of the new departure in the principles of tenure.

At the time of the creation of the board of commissioners to quiet land titles and up to the enactment of rules by the privy council for land division, the nation was still feeling its way through the maze of the difficult questions which were pressing upon it in this great reform in land matters. Each step which it made threw light upon the path for the next one. The rapidity with which this reform was accomplished must be attributed not only to the wisdom and fidelity of the advisers of the nation, but largely to the earnestness and patriotism of the King and chiefs, who cheerfully made great sacrifices of authority and interest for the sake of a satisfactory solution of these questions.

The commissioners to quiet land titles were authorized to consider claims to land from private individuals, acquired previous to the passage of the act creating the commission. This included natives who were in the occupancy of holdings under the conditions of use or payment of rent in labor, and also both natives and foreigners who had received lands from the King or chiefs in the way of grants. The awards of the board were binding upon the Government if not appealed from, and entitled the claimant to a lease or a royal patent, according to the terms of the award, the royal patent being based upon the payment of a commutation of one-fourth or one-third of the unimproved value of the land, which commutation was understood to purchase the interest of the Government in the soil.

The principles adopted by the land commission use the words King and Government interchangeably, and failed to reach any adjudication of the separate rights of the King in distinction from those of the Government in the public domain, or, in other words, they failed to define the King's public or official interests in distinction from his private rights, although they fully recognized the distinction. There was, however, an implied apportionment of these two interests through the proceedings by which an occupying claimant obtained an allodial title. The commission decided that their authority coming from the King to award lands represented only his private interests in the lands claimed. Therefore, as the further payment of the claimant as a condition of his receiving a title in fee simple from the Government was one-third of the original value of the land, it follows that the King's private interest was an undivided two-thirds, leaving an undivided one-third belonging to the Government as such.

The commission also decided that there were but three classes of vested or original rights in land, which were in the King or Government, the chiefs, and the people, and these three classes of interests were about equal in extent.

The land commission began to work February 11, 1846, and made

great progress in adjudicating the claims of the common people, but its powers were not adequate to dispose of the still unsettled questions between the King, the chiefs, and the Government, though it must be admitted that it made progress in that direction. Neither was the chiefs ready to submit their claims to its decision.

After earnest efforts between the King and chiefs to reach a settlement of these questions, the rules already referred to were unanimously adopted by the King and chiefs in privy council December 18, 1847. These rules, which were drawn up by Judge Lee, embodied the following points: The King should retain his private lands as his individual property, to descend to his heirs and successors; the remainder of the landed property to be divided equally between the Government, the chiefs, and the common people.

As the land was all held at this time by the King, the chiefs, and their tenants, this division involved the surrender by the chiefs of a third of their lands to the Government, or a payment in lieu thereof in money, as had already been required of the tenant landholders. A committee, of which Dr. Judd was chairman, was appointed to carry out the division authorized by the privy council, and the work was completed in forty days. The division between the King and the chiefs was effected through partition deeds signed by both parties. The chiefs then went before the land commission and received awards for the lands thus partitioned off to them, and afterwards many of them commuted for the remaining one-third interest of the Government by a surrender of a portion.

After the division between the King and the chiefs was finished he again divided the lands which had been surrendered to him between himself and the Government, the former being known thereafter as Crown lands and the latter as Government lands.

This division, with the remaining work of the land commission, completed the great land reform, the first signal of which was announced by Kamehameha III, in his declaration of rights, June 7, 1839. A brief ten years had been sufficient for the Hawaiian nation to break down the hoary traditions and venerable customs of the past, and to climb the difficult path from a selfish feudalism to equal rights, from royal control of all the public domain to peasant proprietorship and fee-simple titles for poor and for rich. It came quickly and without bloodshed because the nation was ready for it. Foreign intercourse, hostile and friendly, and the spirit of a Christian civilization had an educating influence upon the eager nation, united by the genius of Kamehameha I, with its brave and intelligent warrior chiefs resting from the conquest of arms, their exuberant energies free for the conquest of new ideas; with rare wisdom, judgment, and patriotism they proved equal to the demands of the time upon them.

IX. ALSO THE FOLLOWING EXTRACT FROM THE REPORT OF HON. JOHN QUINCY ADAMS, CHAIRMAN OF THE COMMITTEE ON FOREIGN AFFAIRS OF THE HOUSE OF REPRESENTATIVES.

"It is a subject of cheering contemplation to the friends of human improvement and virtue, that by the mild and gentle influence of Christian charity, dispensed by humble missionaries of the gospel, unarmed with secular power, within the last quarter of a century, the people of this group of islands have been converted from the lowest debasement of idolatry to the blessings of the Christian gospel; united under one balanced government; rallied to the fold of civilization by a written language and constitution, providing security for the rights of persons, property, and mind, and invested with all the elements of

right and power which can entitle them to be acknowledged by their brethren of the human race as a separate and independent community. To the consummation of their acknowledgment the people of the North American Union are urged by an interest of their own, deeper than that of any other portion of the inhabitants of the earth—by a virtual right of conquest, not over the freedom of their brother man by the brutal arm of physical power, but over the mind and heart by the celestial panoply of the gospel of peace and love."

X. ALSO THE FOLLOWING HAWAIIAN TREATY AND REVIEW OF ITS COMMERCIAL RESULTS.

THE HAWAIIAN TREATY.

A REVIEW OF ITS COMMERCIAL RESULTS.

The Hawaiian treaty was negotiated for the purpose of securing political control of those islands, making them industrially and commercially a part of the United States and preventing any other great power from acquiring a foothold there, which might be adverse to the welfare and safety of our Pacific coast in time of war. They are situated midway on the direct way from Panama to Hongkong and directly on the shortest line from the Columbia River or Puget Sound to Australia. Here the two great lines of future commerce of the Pacific Ocean intersect, and vessels must stop there for refreshment and refuge.

The islands prior to the treaty were declining in population, and owing to the decay of the whale fishery, were declining in wealth. Their soil is, perhaps, the most productive for sugar raising of any known in the world. But the high tariff on sugar and the exceedingly low wages which must be paid in tropical countries for raising sugar to supply the United States rendered the industry difficult. In 1875 a movement arose in the islands for the importation of Hindoo coolies to supply the requisite cheap labor, and the consent of England was promised. The growth of the Australian colonies had gradually developed an improving market for Hawaiian sugar, and, after a trial of it by some of the Hawaiian planters, it was found that better prices could be obtained in the free-trade port of Sydney than in San Francisco, and return cargoes could be bought there much more cheaply. Preparations were making for sending there the entire crops of 1876–'77. These matters came to the knowledge of the State Department. The Hawaiians had been pressing for many years for a commercial treaty with the United States, but without success. It was now felt in the State Department that the question was assuming graver importance, and, as political supremacy in the islands must inevitably follow the commerce, it was recognized that this country must make favorable concessions to them, or else let them follow the inevitable tendency and drift slowly into the status of an English colony. The result was the negotiation of the existing treaty and its ratification by the consent of the Senate. The effect of the treaty was as follows:

It was anticipated that the remission of duties would make the profits of sugar culture very great. But a sugar plantation requires for the most economical work a large amount of capital, $500,000 being very moderate for a single plantation, and $250,000 being about as small as is prudent. The islanders had no capital of any consequence and were obliged to borrow it from the United States (i. e., from or through the mercantile houses of San Francisco who import their sugar and act as agents to the planters for selling it to the refineries). The opening of plantations proceeded rapidly until the output of sugar has now nearly

reached the full capacity of the soil, and is seven or eight times greater than in 1874–'75. Our exports to the islands have increased in very nearly the same ratio, being five or six times greater than in 1874–'75, or, if measured in quantity rather than by price, are about seven times as great. A new merchant marine has been created, consisting of vessels built expressly for the service, costing over $3,500,000. Of this total tonnage over 90 per cent is American built, and the rest was bought. These mercantile houses, with their shipping, transact the entire commerce both ways, and transport annually about $12,000,000 worth of merchandise at very high rates of freight, commission, and exchange.

In general, the effect of the treaty has been to make the islands a field for very profitable investment of American capital. It has created a demand which would not have existed otherwise for American produce to an amount which may seem small ($23,000,000 in nine years) when viewed in comparison with our total export, but which, when viewed in connection with the fact that the population which has made that demand is less than 80,000, is remarkably large. During the last four years it has averaged about $40 per capita per annum, and, if the transportation charges be added as they properly should be, it will amount to over $50 per capita per annum. This is four or five times as much per capita as England or Canada buys of us. The general results of the trade may be seen in the following tables:

Values delivered by the United States to the Hawaiian Islands for nine years—1876 to 1885.

Invoice value of United States exports to Hawaii	$23,686,328
Bills of exchange to pay for all Hawaiian imports from third countries	9,868,674
Difference between coin exported to and received from Hawaii	2,222,181
Outstanding liabilities of United States to Hawaii not known	.....
Total values paid by United States	35,777,183

To balance the account:

Profits already realized on merchandise account	$18,414,766
Cash debts payable to United States at maturity out of future shipments	6,500,000
Increased values of productive properties in the islands owned by Americans	11,680,164
	72,372,113

Values received and receivable by the United States from the Hawaiian Islands for nine years—1867 to 1885.

Invoice value of Hawaiian exports to the United States	$51,294,764	
Add freight and insurance to obtain value in United States ports	2,897,185	
Value of merchandise received		$54,191,949
Liabilities of the islands to the United States for advances on crops	3,000,000	
Bonded debts payable in United States and secured on island property	2,500,000	
Hawaiian Government bonds paid for in silver, coined on Hawaiian Government account	1,000,000	
Total liabilities to United States		5,500,000
Increased value of plantation properties owned by United States citizens, as assessed in 1883	10,180,164	
Value of other productive properties	1,500,000	
		11,680,164
Total values received and receivable		72,372,113

General distribution of profits.

To American shipping:		
Freights and insurance on imports from the islands	$2,897,185	
Freights and insurance on exports	5,127,964	
Passenger receipts	1,325,000	
		$9,350,149
Commission on purchases for export to the islands	592,158	
Commission on sales of islands' produce	2,209,463	
		2,801,621
Premium on exchange		812,839
Interest on loans and advances		2,160,000
Dividends and miscellaneous profits		3,290,157
Total profits already realized		18,414,766
Debts receivable held chiefly by the San Francisco banks		6,500,000
Increased values of productive properties owned by Americans		11,735,464
Total gross profits		36,650,230

1. In the foregoing table, beginning with values delivered, the first item is the invoice value of our exports to the islands, as shown in the Treasury statistics for the nine years. It is the home value, and, since we are comparing San Francisco values with San Francisco values, freights are not added.

2. The second item represents what we have paid in the form of bills of exchange to settle the balance of trade against us. Since the Hawaiians export almost nothing to third countries, but do import considerable from them, it follows that they must draw upon shipments to the United States to pay for all they import from third countries. They have no other source of credit to draw upon. Hence turning to Hawaiian official statistics we find their total imports in nine years to have been $9,181,522. The freight and insurance must be added, and, as these are known to be about 10 per cent of the value, we get $10,099,674. Deducting $231,000, which is their *total export* to third countries in nine years, and which liquidated just so much of their indebtedness to third countries, we have $9,868,674 on merchandise accounts, which we must pay in bills of exchange drawn in San Francisco against Hawaiian account and in favor of third countries.

3. In further settlement of the balance of trade are coin remittances. In nine years the excess of coin shipped to Hawaii over coin received from Hawaii amounts to $2,222,181. Of this $1,000,000 was a silver coinage for the Hawaiian Government struck at the San Francisco mint, for which that Government gave its bonds for $1,000,000, which are now held in this country.

If we have given Hawaii any other consideration it must be in the form of obligations of some sort which do not appear in statistics. None such are known, and in a small community like the islands, where everybody's business is known to everybody else, it is hardly possible that if any appreciable amount of them existed it would not be known. As the Hawaiians are deeply in debt to the United States it is not likely that any such obligations of importance exist. This side of the exhibit is therefore as complete as present knowledge can make it. On the other side of the account we have:

(1) Value of Hawaiian exports to the United States, $51,294,764. This is the invoice value at Honolulu. As we are comparing San Francisco values with San Francisco values it is necessary to add freights and insurance. (*The American consul at Honolulu requires invoices* to state the values delivered, less cost of transportation.) This requirement, being a matter of indifference to shippers, is complied with. If

the merchandise had to pay an ad valorem duty they would put the invoice value as low as possible in accordance with the actual export costs.

(2) Liabilities of the islands to the United States.—The sugar crop is an enormously expensive one to raise. It requires fifteen to sixteen months to mature, and employs hundreds of laborers to each plantation and sugar mill. The planter must, therefore, borrow large amounts of money to mature it, giving a lien upon the crop as a security to his factor. The factor in turn borrows the necessary amounts from the San Francisco banks. On an average this lien amounts to nearly or quite half the market value of the crop. I have estimated it for safety at about one-third that value, or $3,000,000.

(3) Many plantations have also mortgaged debts held in San Francisco. The amount of these is not fully known; but I am sure of at least $2,500,000, and believe the real amount to be much more than that.

(4) The value of the plantation properties held by Americans was assessed by the Hawaiian Government in 1883 at $10,180,164. This was assumed to be about two-thirds the real value. This value has been created almost wholly since 1876 out of the ground, buildings, and machinery.*

(5) Other productive properties held by Americans are the inter-island mercantile marine, two railroads and equipment, a marine railway, warehouses, etc., all of them the creation of the treaty. The estimate of $1,500,000 is a very low one. The value of these properties far exceeds the sum of their mortgages and capital stock indebtedness. No man is rated in this argument as an American citizen unless he has the right *to vote in the United States without naturalization* and has the right to the protection of our Government under public law.

The most striking feature of this exhibit is the very large profit to the United States—so large that it seems at first unaccountable; but the great discrepancy between the exports and imports will vanish when we take full account of the fact that the whole carrying trade and mercantile business is ours in both directions. All economists regard transportation and mercantile functions in the passage of commodities from the purchaser to the consumer as a part of the production. To the value of our produce at San Francisco must be added all further accessions of value until it finally leaves our hands and passes into those of the Hawaiian. Add, then, to the invoice value of our exports the cost of transportation, commission, and insurance until we have put the produce into the Hawaiian's hands, and the $36,000,000 becomes not far from $44,000,000. It costs the Hawaiian not far from one-sixth of the value of his crop to get it to San Francisco. Deduct that from $54,000,000 and we have $45,000,000. Thus if we reckon Hawaiian values against Hawaiian values the exchange becomes less unequal, as it should, for the real exchange takes place in Hawaii. It is there that

* This is reckoned as profit for the following reasons: Among the commodities which we send to the islands, and also among those which we buy in Europe and send there on Hawaiian account, are machinery, building materials, etc. These are used in construction. The labor which is employed, the improvements which come from cultivation, and the natural appreciation of land make up together the final value of the property. The cash outlay directly applied to the creation of this value is, of course, small in comparison with that value. Whatever cash value has been so applied is already accounted for and included in the table showing values delivered to Hawaii. The value of the properties thereby acquired should of course appear on the other side of the account, and also in the list of profits, for such it clearly is. It pertains, however, to the capital-stock account and not to simple mercantile profit. The figures here given largely understate the value of these properties.

our own products finally leave our hands, and it is there that Hawaiian values first come into our hands.

The Committee on Ways and Means, seeing that our exports in nine years have shown on invoice value of $23,000,000, while our imports show $54,000,000, have hastily concluded that the apparent balance of trade against us of $31,000,000 had to be liquidated in coin and exchange. In fact, only about $13,000,000 is liquidated in that way, and the $18,000,000 remaining is paid over to our own people and may be reckoned as a *gross profit already realized.* Over $9,000,000 has gone to American shipping, nearly $3,000,000 to San Francisco commission houses, nearly a million to the banks, over $2,000,000 for interest on loans and advances, and over $3,000,000 as dividends and miscellaneous profits.

In addition to this we hold $6,500,000 of Hawaiian debts which they must liquidate out of future shipments, and have created $15,000,000 worth of magnificent productive properties in the islands out of the soil by the combined action of capital and labor. It would be difficult to find in all the annals of trade and production a result more gratifying.

The Committee on Ways and Means have taken it for granted that the loss of revenue to the Treasury is equal to the computed remission of duty. This is a grave error.

First. The tariff on sugar for more than twenty years has been so graduated as to become more and more forbidding, and, finally, prohibitory as the grade and quality of raw sugar increases. This excludes all *eatable* raw sugar from the *grocery trade* and makes it more profitable to the refiner to buy the lowest grades he can get. But if raw sugar is duty free, it is the interest of the refiner to buy the highest grades and the interest of the planter to make them. Accordingly the Hawaiian planter makes the highest grades, not exceeding No. 20, above which grade he must pay duty.

But without the treaty he would do as the Cuban does, i. e., make them of as low grade as possible, so as to pay the minimum duty. The Committee on Ways and Means has computed the remitted duties on Hawaiian sugar as actually imported in the highest grades at $3.18 per cwt. prior to June 30, 1883, and $2.40 per cwt. subsequently; but Hawaiian sugars, which would have been imported had the treaty never existed, would have been in lower grades and paying presumably the same average duty as all imported sugars. This was, prior to 1883, about $3.41 per cwt. and about $1.96 subsequently. Of course we can not reckon a duty *we never could have collected* as a loss of revenue.

Instead, therefore, of losing on sugar $23,000,000 in nine years the loss has not been over $18,000,000.

Second. But this loss must have had very large compensations to the Treasury. Fully five-sixths of the Hawaiian crop has been bought and paid for by exports, transportation services, and otherwise, for which the treaty has created a demand, and for which no demand would have existed elsewhere without the treaty. Our exports to third countries could not possibly have been diminished by it. Now, the free entry of Hawaiian sugar has no doubt caused us to purchase from third countries less dutiable sugar. Obviously the exported values withheld from the purchase of dutiable sugar remain available for other purchases. The full value of our exports must come back to us somehow, and if we get less dutiable sugar we must get just so much more of something else. The only question is whether this "more of something else" pays as much duty as the sugar would have paid. Probably it does not; and so far there is a loss, because some of these residual values come

back in the shape of duty-free articles and because the duty on sugar is higher (computed ad valorem) than the average of our total imports. A part of the California bullion and wheat and wine sent to England pays for Hawaiian sugar, which is duty free. About one-sixth of the Hawaiian crop is thus paid for, and to that proportion there is a total loss of revenue. While it is impossible to compute what the real loss is, I think it safe to say that it probably does not exceed one-third, and certainly does not amount to one-half of the $18,000,000 computed as lost on sugar. In any event the duty never leaves the country. It is paid over by the refinery to the consignee of the Hawaiian, and is paid out again, with much more besides, to American shipping, banks, merchants, and stockholders. The gross profit of $36,000,000 throws into insignificance the possible loss of $6,000,000 or $8,000,000 of revenue.

It has been said repeatedly that all the profits of this magnificent trade and industry go to the benefit of Claus Spreckels and a small clique of speculators. What nonsense! If it did, he would richly deserve it, and a vote of thanks by Congress besides.

It will be going to the root of the matter at once to say that the opposition to the treaty has arisen from the systematic and in some measure successful attempts to saturate the public press and Congress with utterly false ideas about Claus Spreckels and his relation to the islands, to create a bitter personal prejudice against him, and by implication to illogically and unjustly extend that prejudice to the commerce and industries of the Hawaiian Islands. Claus Spreckels certainly has for many years monopolized the manufacture and sale of refined sugars on the Pacific coast, and ruled that market to the extent of his powers with a rod of iron. But the first grand mistake consists in supposing that the Hawaiian treaty has or could have given any assistance to the establishment of his monopoly or to its maintenance or confer upon it any benefit whatever. The second mistake consists in wholly false impressions about the wholly distinct personal relations of Mr. Spreckels to the industry and commerce of raw sugar. In these he is only one of many men, and though individually his relations are large, yet relatively to the whole they are small, and he can no more control the whole than the Cunard Company can control our commerce with England. As a monopolist of refined sugar he can not escape the odium which always attaches to a monopoly. As a planter and stockholder, as a director of an American steamship company, and a banker, his whole career and course of conduct will compare favorably with that of any great and successful merchant in America.

The monopoly of refined sugar in San Francisco is, like all other monopolies, a perfectly legitimate object of attack; and if it can be broken up in any way such an end is devoutly to be wished.

But Claus Spreckels's relations to the island trade and industry are a totally different matter, and when rightly understood will present themselves to the unprejudiced mind in a totally different aspect. In this field his operations are perfectly legitimate. It is my purpose to point out that any attempt to terminate the treaty is simply an attempt to strengthen and fortify his monopoly and to break down commendable enterprises which should be built up and sustained, and in which Claus Spreckels is merely one of many participants. Whatever damage might be inflicted upon him in respect to his island interest would be more than compensated to him out of enlarged profits of his monopoly as a refiner, while the blow would fall with full and disastrous effect upon thousands of innocent third parties, both in Hawaii and California, whose interests should be dear to Congress and to the American people.

The Hawaiian treaty has become an object of attack by the sugar-refining interest of the Eastern States and of the sugar-planting interests of Louisiana. The motives which have led to this attack are as follows:

During the last few years the sales of sugar imported from Hawaii, Manila, and Central America, and refined in San Francisco, have been extending gradually into the markets of the Mississippi Valley, advancing further eastward every year, thereby displacing the sales of eastern sugars in the States and Territories west of the Mississippi River. The Eastern refiners and the Louisiana planters believe that the possibility of this arises from the free entry of Hawaiian sugars, thus enabling (as they suppose) the San Francisco refiners to purchase raw sugar much more cheaply than they otherwise could. Thus they believe that the treaty discriminates severely against their interests, and is unjust to them.

This position is denied by the San Francisco refiners and importers of sugar and by the owners of Hawaiian sugar properties in California. They contend that the San Francisco refineries get their raw sugar *no cheaper by reason of the treaty*, but are obliged to pay the same price for it as for equivalent dutiable sugar from Asia; that the ability of the Pacific refiners to compete successfully with the Atlantic refiners is founded upon conditions wholly independent of the treaty, viz: First, because unlimited amounts of Asiatic sugar can be laid down in San Francisco cheaper than raw sugars can be laid down in New York; second, because through eastward freights over the Pacific railways are scantier than westward through freights, and the railroads naturally prefer to carry sugar at low rates to hauling empty cars. They contend that this competition is a natural one; that it is not helped by the treaty and will not be hindered by its abrogation; that it is destined to grow, and would grow if the Hawaiian Islands did not exist.

Since it is also claimed by the opponents of the treaty that it fosters and sustains a monopoly of refined sugars, and that the benefits of the treaty accrue only to that monopoly, and since the whole complaint is founded in a gross misunderstanding of the nature and conditions of the sugar business *on the Pacific coast*, it seems proper to discuss the facts at some length. From these it will appear that these charges, as well as others, are utterly without foundation.

It is a self-evident proposition that a cargo of Manila sugar delivered in New York must sell at a price just equal to that of so much Cuban sugar of equal grade. It is evident, also, that the price of that cargo at Manila "free on board" must be less than the New York price by an amount equal to the cost of transportation. It is further evident that the price of a similar cargo of Manila sugar delivered in San Francisco must exceed the Manila price by an amount equal to the total cost of transportation. It is, therefore, an easy matter to compute whether Manila sugar in San Francisco ought to be cheaper than Cuban or Manila sugar in New York.

The rate of freight from Manila or Hongkong to San Francisco on sugar is very low. A vessel can be chartered to go from San Francisco to Manila in ballast and bring back sugar at $5 or $6 per ton, but during the last eight years Asiatic sugar has largely come as *mere ballast*. Freights from Manila to New York range from $9 to $12 per ton. Interest, insurance, and shrinkage being proportional to the time of the voyage are evidently in favor of San Francisco as compared with New York. In brief, the San Francisco price of raw sugar is lower than the New York price by three-eighths to five-eighths of a cent per pound.

Hawaiian sugars are shipped by the agents or factors of the planters in Honolulu to commission merchants and importers in San Francisco, and sold by the latter to the refinery. The terms of purchase after the treaty took effect were known as the "Manila basis." The refinery agreed in substance to take the whole of each planter's crop at a price which should be equal to that of an equivalent quantity and grade of Manila sugar delivered, duty paid, in San Francisco. The price of a certain grade of sugar at Manila known as "extra superior," polarizing 91, and in color No. 10 Dutch standard, was telegraphed daily to San Francisco. To this price was added $6 per ton for freight, 2 per cent insurance, the cost of sixty days' exchange, and a specific allowance for the remitted duty. This constituted the Manila basis for the day of quotation.

Just here is one point of dispute between the sugar men of New York and those of San Francisco and Honolulu. The New Yorkers refuse to believe that Spreckels pays the full normal price and the entire duty to the Hawaiians. If anybody is particularly interested in knowing whether he does not it must be the Hawaiian planter and his Honolulu factor, for an eighth of a cent per pound means to them a profit or loss of hundreds of thousands of dollars. Time and again they have examined this question and put it to the most crucial tests, and the verdict is universal that Spreckels has dealt with them fairly and squarely, and this is the testimony alike of friends and enemies whose bread and butter depends on knowing the truth and abiding by it. Who ought to know best about it, they or people who live 3,500 miles away?

A little over a year ago Spreckels withdrew the tender of the Manila basis and would only offer the Cuban. The result was, a new refinery competing with him. Spreckels has always contended that the Manila basis was higher than it ought to be; that he was overpaying the planters and giving them more than Manila and China sugar would have cost him. A second refinery, C. Adolf Low & Co., which was pooled with Spreckels up to 1885, also seemed to think so, for, while having the option of taking as much Hawaiian sugar as they wanted, they declined taking any on the ground that Manila and Central American sugars were cheaper. My opinion is that Spreckels was in a great measure right.* To show this would require a detailed examination,

* For the following reasons: Spreckels allows $\frac{1}{8}$ cent per pound for the value of every degree of polariscope. The Manila standard polarizes 91°. The average polarization of the whole Hawaiian crop is about 94°, and the allowance, therefore, is, on the average, $\frac{3}{8}$ cent above the Manila basis. Suppose, now, the price of Hawaiian sugar delivered is 5 cents per pound for 91°; for 94° it is 5$\frac{3}{8}$ cents. But a 94° sugar contains $\frac{3}{91}$ more of pure sugar than a 91° sugar, which at 5 cents is $\frac{15}{91}$ cent, or about $\frac{1}{6}$ cent. In other words, Spreckels pays $\frac{3}{8}$ cent for what is worth to him only $\frac{1}{6}$ cent. The lower cost of refining a 94° sugar than a 91° is fully covered by the $\frac{1}{16}$ cent allowance for every color above No. 10, Dutch standard. This difference, computed on the last Hawaiian crop, amounts to over $350,000. If it be asked how Spreckels came to concede too much for quality the answer is that when it was first agreed upon, in 1876, the price of raw sugar was very high, and at that time the allowance was not very excessive. The New York allowance was $\frac{1}{16}$ cent per degree of polarization. Moreover, it was at that time anticipated that the run of the Hawaiian crop would not be above 91° or 92°. Once fixed, the allowance became a custom, and custom is a powerful conservative force sometimes in matters of price.

Again, the great bulk of the Hawaiian crop comes to San Francisco in December to March, inclusive, and Spreckels must pay for it on delivery. Hence he must carry an enormous surplus stock, worth $3,000,000 to $4,000,000, during a great part of the year, and the interest on that is no trifle. If he could buy Asiatic sugars as he wanted them, or take advantage of the favorable stages of the market, he would have an advantage he does not now possess. All things considered I have no doubt that the practical working of the Manila basis was to make Spreckels pay more for Hawaiian sugar than Manila sugar would have cost him.

which no one but a sugar expert would easily understand. At the same time it seems to me that the true price, while lower than the Manila basis, ought, during the extremely low prices of sugar last year, to have been a little better than the Cuban basis. Be this as it may, the vital fact remains in any event that the price on either basis would be considerably lower in San Francisco than in New York. It also remains true that the attempt of Spreckels to better himself in respect to the terms on which he purchases Hawaiian sugar has cost him very dear in the organization of an opposition refinery, and the end is not yet. And this brings to us the next link in the chain.

Mr. Spreckels was obliged to buy the whole Hawaiian crop and pay the full market price for it, including the entire duty, or else subject himself to competition. To understand this it is necessary to look at the nature of this monopoly. A monopoly means the want of effective and full competition. What are the possible sources of competition in the sale of refined sugars in California? There can be none from foreign refined sugars, because the duty upon them is prohibitory. There can be no effective competition from Eastern refined sugars, because their price is established on the Atlantic seaboard, where sugar is dearer and the railway transportation is prohibitory. Why is there no local competition? Because there is not work enough for two refineries. A single refinery half as large as Havemeyer & Elder's can saturate with sugar the whole country west of Denver. If, then, there are two refineries, as has actually been the case, they must either pool and divide the market, which they did, or else begin a war of extermination, which they are now doing. The causes which have rendered a monopoly easily possible are, therefore, a prohibitory tariff on refined sugar, the isolation of California from other States where sugar is refined, its comparatively small population, and the fact that one ordinary refinery is ample for all needs. Under such circumstances a monopoly, or else a pool, which amounts to the same thing, is inevitable. Nothing on earth can stop it but time and the changes of conditions, which time will ultimately bring.

The Hawaiian treaty has had nothing to do with the establishment of this monopoly; the monopoly was fixed before the treaty, and so far from being helped by it, has been embarrassed and weakened by it, and may be yet more seriously embarrassed by its continuance, for the treaty rendered possible two new sources of competition. The nature of this competition is very instructive and will repay careful examination.

The duty upon raw sugars not only increases with their purity and lightness of color, but increases in a faster ratio than the value of the sugar itself. The result in New York is that it is cheaper and more profitable for the refineries to purchase the impurest sugars they can get, and that raw sugars of fine high quality are, in consequence of this disportionate duty, dearer than refined sugars. In short, the duty on raw sugars which are fit to eat is, to all intents and purposes, prohibitory. This is the reason why raw sugar has entirely disappeared from our grocery stores. In England, the greatest sugar-eating country in the world, where sugar is duty free, a large proportion of the sugar consumed does not go through the refinery at all, but is sold to customers just as it comes from the plantations. If the tariff on sugar were exactly proportional to its purity vast quantities of raw sugar would be sold in the stores in the place of just so much refined sugar. So it would be in the Eastern States if raw sugars up to 20 Dutch standard were duty free. It is easy to see that in California

the free entry of Hawaiian sugar up to No. 20 put the refinery into the following difficulty: It must not permit the sugars to go upon the open market. How was it to prevent it? By making it more profitable to the planter to sell to the refinery than the grocery store. How was it to do that? First, by paying a maximum price for the raws, and, second, by keeping down the price of refined sugar to points which should not exceed the price of raws by more than a certain small percentage. The maximum price of the raws was the Manila basis, and if the price of the refined exceeded the Manila basis by more than a certain small percentage the Hawaiian sugar would be tempted into the grocery trade direct.

Congress has been saturated with the idea that Spreckels has bought Hawaiian sugar at his own price, appropriating the remitted duty to himself and at the same time increasing the price of refined sugar. The idea is absurd and impossible. The truth is just the reverse. The command of prices for raw sugar up to the Manila basis rests with the planter, and Spreckels must yield or provoke a competition in which the planter is sure to win. Above the Manila basis the planter can not go without loss to himself. Spreckels, moreover, has been obliged to sell refined sugar at lower prices than he could command if the Hawaiian crop were out of the way. To restore the duty would crush the planter, leaving him to Spreckels' dictation and give him (Spreckels) the power of exacting a larger price for his output without fear of any competition from the planter. The effect of the treaty upon the monopoly has been to hold up the price of raw sugar to the full normal price and to bring the price of refined nearer to that of raws than it would otherwise have been.

(2) The second source of competition is a new refinery. Mr. Spreckels himself controls, as a majority stockholder, only one plantation on the islands. He has a minority interest in each of four others (unless he has acquired more since 1884). He and his friends together can not control more than a fourth part of the Hawaiian crop except by buying it on terms satisfactory to the planters. Suppose the other planters to become dissatisfied with the terms of purchase he may offer, what is to prevent them from joining hands and starting a new refinery in San Francisco to work their own sugars? Nothing, except the want of an inducement. The question of capital offers no difficulty if there is anything to be gained. What would constitute an inducement? Not the prospect of profit on the sale of refined sugars unless they are prepared to crush Spreckels out completely and set up a new monopoly in place of his. But a genuine inducement would be established at once if Spreckels were to insist upon paying too low a price for their raw sugar. Suppose the cost of Asiatic sugar, duty paid, in San Francisco is 5 cents and Spreckels will only pay the Hawaiians 4½ cents. Suppose two-thirds of the planters refuse and start a new refinery. A war of rates instantly follows. How low can Spreckles afford to sell refined sugar? As low as the price of Asiatic sugar plus the cost of refining. How low could the planters afford to sell sugar? As low as the cost of raising raw sugar, shipping it to San Francisco, and refining it. When Spreckels has touched the bottom price the planter is still making the full profit on his raw sugar, but nothing on his refined, and Spreckels is making no profit out of his refinery.

This is precisely what has happened. When Spreckels dropped from the Manila to the Cuban basis some of the California stockholders and some of the keen Yankees in the island thought he was going too low. They clubbed together, and, with the aid of San Francisco capitalists who hold Hawaiian plantation stocks, they started a new refinery. They

did not expect to make much profit out of refined sugar, but they do expect to get the fullest price of their raws. The ultimate result of this contest will depend upon whether Spreckels is right in his assertion that the Cuban basis is the normal price of sugar.

GENERAL RESULTS OF THE TREATY.

The treaty has developed a trade with the islands which, relatively to the population, is enormous, and of which the profits have been and still are exceedingly large. The profits have not, as generally supposed, accrued to the great sugar monopoly, but chiefly to the American shipping which was evoked by the treaty, to the mercantile houses which have handled the merchandise, and to the investors who have advanced the capital to open and develop the productive properties. These profits have been nearly double the remitted duties and four or five times as great as the probable loss of revenue.

So far has the treaty been from benefiting a monopoly of refined sugars in California that it has restricted its powers and embarrassed it, and may even yet destroy it. The refinery is powerless to obtain the benefit of the remitted duties in any degree whatever. It must pay them in full to the consignee of the planter, who, in turn, pays them, and more besides, over to our shipping, banks, mercantile houses, and investors. The remitted duties never leave the country.

The treaty has brought up a mercantile marine of our own, employing American-built steamers and sailing vessels, and the entire commerce, amounting to $12,000,000 annually, is in our hands. It is the only foreign commerce to-day which we can call our own. Before the treaty the sugar and rice imported at San Francisco came chiefly from Asia and the East India Islands, where it was bought with London exchange and shipped in foreign vessels.

The treaty has had no assignable effect whatever upon the sales of sugar in the Mississippi Valley. These sales would have been the same and would continue to be the same without the treaty as with it. San Francisco is the natural source of supply of sugar for almost the whole country west of the Kansas Missouri line, and of a considerable territory still further east. The only real competition of San Francisco in that region is the Louisiana planter, who has no more right to complain of it than of the competition of New York. This competition is independent of the treaty. Congress can not prevent it, and ought not to if it could, for it is a normal and healthy one.

XI. ALSO THE FOLLOWING ARTICLE IN THE FORUM FOR MARCH, 1893, ON "HAWAII AND OUR FUTURE SEA-POWER," AND WRITTEN BY CAPT. A. T. MAHAN.

[The Forum, March, 1893.]

HAWAII AND OUR FUTURE SEA POWER.*

The suddenness so far, at least, as the general public is concerned, with which the long-existing troubles in Hawaii have come to a head, and the character of the advances reported to be addressed to the United States by the revolutionary government, formally recognized as *de facto* by our representative on the spot, add another to the many significant instances furnished by history that, as men in the midst

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of life are in death, so nations in the midst of peace find themselves confronted with unexpected causes of dissension, conflicts of interests, whose results may be, on the one hand, war, or, on the other, abandonment of clear and imperative national advantage in order to avoid an issue for which preparation has not been made. By no premeditated contrivance of our own, by the cooperation of a series of events which, however dependent, step by step, upon human action, were not intended to prepare the present crisis, the United States finds herself compelled to answer a question, to make a decision, not unlike and not less momentous than that required of the Roman senate when the Mamertine garrison invited it to occupy Messina and so to abandon the hitherto traditional policy which had confined the expansion of Rome to the Italian peninsula. For let it not be overlooked that, whether we wish or no, we must answer the question, we must make the decision. The issue can not be dodged. Absolute inaction in such a case is a decision as truly as the most vehement action. We can now advance, but, the conditions of the world being what they are, if we do not advance we recede; for there is involved not so much a particular action as a question of principle pregnant of great consequences in one direction or in the other.

Occasion of serious difficulty should not, indeed, here arise. Unlike the historical instance just cited, the two nations that have now come into contact are so alike in inherited traditions, habits of thought, and views of right, that injury to the one need not be anticipated from the predominance of the other in a quarter where its interests also predominate. Despite the heterogeneous character of the immigration which the past few years have been pouring into our country, our political traditions and racial characteristics still continue English—Mr. Douglas Campbell would say Dutch, but the stock is the same. Though thus somewhat gorged with food not wholly to its taste, our political digestion has so far contrived to master the incongruous mass of materials it has been unable to reject; and, if assimilation has been at times imperfect, the political constitution and spirit remain English in essential features. Imbued with like ideals of liberty, of law, of right, certainly not less progressive than our kin beyond sea, we are, in the safeguards deliberately placed around our fundamental law, even more conservative than they. That which we received of the true spirit of freedom we have kept—liberty and law—not the one or the other, but both. In that spirit we have not only occupied our original inheritance, but also, step by step, as Rome incorporated the other nations of the peninsula, we have added to it, spreading and perpetuating everywhere the same foundation principles of free and good government which, to her honor be it said, Great Britain also has throughout her course maintained. And now, arrested on the south by the rights of a race wholly alien to us, and on the north by a body of states of like traditions to our own, whose freedom to choose their own affiliations we respect, we have come to the sea. In our infancy we bordered upon the Atlantic only; our youth carried our boundary to the Gulf of Mexico; to-day maturity sees us upon the Pacific. Have we no right or no call to progress farther in any direction? Are there for us beyond the sea horizon none of those essential interests, of those evident dangers, which impose a policy and confer rights?

This is the question that has long been looming upon the brow of a future now rapidly passing into the present. Of it the Hawaiian incident is a part, intrinsically, perhaps, a small part, but in its relations to the whole so vital that, as has before been said, a wrong decision

does not stand by itself, but involves, not only in principle but in fact, recession along the whole line. In our natural, necessary, irrepressible expansion, we are here come into contact with the progress of another great people, the law of whose being has impressed upon it a principle of growth which has wrought mightily in the past and in the present is visible by recurring manifestations. Of this working, Gibraltar, Malta, Cyprus, Egypt, Aden, India, in geographical succession though not in strict order of time, show a completed chain; forged link by link, by open force or politic bargain, but always resulting from the steady pressure of a national instinct, so powerful and so accurate that statesmen of every school, willing or unwilling, have found themselves carried along by a tendency which no individuality can resist or greatly modify. Unsubstantial rumor and incautious personal utterance have each suggested an impatient desire in Mr. Gladstone to be rid of the occupation of Egypt; but scarcely has his long exclusion from office ended than the irony of events signalizes his return thereto by an increase in the force of occupation. It may further be profitably noted, of the chain just cited, that the two extremities were first possessed—first India, then Gibraltar, far later Malta, Aden, Cyprus, Egypt—and that, with scarce an exception, each step has been taken, despite the jealous vexation of a rival. Spain has never ceased angrily to bewail Gibraltar. "I had rather," said the first Napoleon, "see the English on the heights of Montmartre than in Malta." The feelings of France about Egypt are matter of common knowledge, not even dissembled; and, for our warning be it added, her annoyance is increased by the bitter sense of opportunity rejected.

It is needless to do more than refer to that other chain of maritime possessions, Halifax, Bermuda, Santa Lucia, Jamaica, which strengthen the British hold upon the Atlantic, the Caribbean, and the Isthmus of Panama. In the Pacific the position is for them much less satisfactory, nowhere, perhaps, is it less so, and from obvious natural causes. The commercial development of the eastern Pacific has been far later and is still less complete than that of its western shores. The latter when first opened to European adventure were already the seat of ancient civilizations, in China and Japan, furnishing abundance of curious and luxurious products to tempt the trader by good hopes of profit. The western coast of America, for the most part peopled by savages, offered little save the gold and silver of Mexico and Peru, and these were jealously monopolized by the Spaniards, not a commercial nation, during their long ascendency. Being so very far from England and affording so little material for trade, Pacific America did not draw the enterprise of a country the chief and honorable inducement of whose seamen was the hope of gain, in pursuit of which they settled and annexed point after point in the regions where they penetrated and upon the routes leading thither. The western coasts of North America, being reached only by the long and perilous voyage around Cape Horn, or by a more toilsome and dangerous passage across the continent, remained among the last of the temperate productive seaboards of the earth to be possessed by white men. The United States were already a nation, in fact, as well as in form, when Vancouver was exploring Puget Sound and passed first through the channel separating the mainland of British America from the island that now bears his name. Thus it has happened that, from the late development of British Columbia in the northeastern Pacific and of Australia and New Zealand in the southwestern, Great Britain is again found holding the two extremities of a line between which she must inevitably desire the

intermediate links; nor is there any good reason why she should not have them, except the superior, more urgent, more vital necessities of another people—our own. Of these links the Hawaiian group possesses unique importance, not from its intrinsic commercial value, but from its favorable position for maratime and military control.

The military or strategic value of a naval position depends upon its situation, upon its strength, and upon its resources. Of the three, the first is of most consequence, because it results from the nature of things; whereas the two latter, when deficient, can be artificially supplied, in whole or in part. Fortifications remedy the weakness of a position, foresight accumulates beforehand the resources which nature does not yield on the spot; but it is not within the power of man to change the geographical situation of a point which lies outside the limit of strategic effect. It is instructive, and yet apparent to the most superficial reading, to notice how the first Napoleon, in commenting upon a region likely to be the scene of war, begins by considering the most conspicuous natural features, and then enumerates the commanding positions, their distances from each other, the relative directions, or, as the sea phrase is, their "bearings," and the particular facilities each offers for operations of war. This furnishes the ground plan, the skeleton, detached from confusing secondary considerations, and from which a clear estimate of the decisive points can be made. The number of such points varies greatly, according to the character of the region. In a mountainous, broken country they may be very many; whereas in a plain devoid of natural obstacles there may be few or more save those created by man. If few, the value of each is necessarily greater than if many, and if there be but one its importance is not only unique, but extreme, measured only by the size of the field over which its unshared influence extends.

The sea, until it approaches the land, realizes the ideal of a vast plain, unbroken by obstacles. On the sea, says an eminent French tactician, there is no field of battle; meaning that there is none of the natural conditions which determine, and often fetter, the movements of the general. But upon a plain, however flat and monotonous, causes, possibly slight, determine the concentration of population into town and villages, and the necessary communications between the centers create roads. Where the latter converge, or cross, tenure confers command, depending for importance upon the number of routes thus meeting and upon their individual value. It is just so at sea. While in itself the ocean opposes no obstacle to a vessel taking any one of the numerous routes that can be traced upon the surface of the globe between two points, conditions of distance or convenience, of traffic or of wind, do prescribe certain usual courses. Where these pass near an ocean position, still more where they use it, it has an influence over them, and where several routes cross near by that influence becomes very great—is commanding.

Let us now apply these considerations to the Hawaiian group. To anyone viewing a map that shows the full extent of the Pacific Ocean, with its shores on either side, two circumstances will be strikingly and immediately apparent. He will see at a glance that the Sandwich Islands stand by themselves, in a state of comparative isolation, amid a vast expanse of sea; and, again, that they form the center of a large circle whose radius is approximately, and very closely, the distance from Honolulu to San Francisco. The circumference of this circle, if the trouble is taken to describe it with compass upon the map, will be seen, on the west and south, to pass through the outer fringe of the

system of archipelagoes which, from Australia and New Zealand, extend to the northeast toward the American continent. Within the circle a few scattered islets, bare and unimportant, seem only to emphasize the failure of nature to bridge the interval separating Hawaii from her peers of the Southern Pacific. Of these, however, it may be noted that some, like Fanning and Christmas islands, have within a few years been taken into British possession. The distance from San Francisco to Honolulu, 2,100 miles, easy steaming distance, is substantially the same as that from Honolulu to the Gilbert, Marshall, Samoan, Society, and Marquesas groups, all under European control, except Samoa, in which we have a part influence.

To have a central position such as this, and to be alone, having no rival and admitting no alternative throughout an extensive tract, are conditions that at once fix the attention of the strategist—it may be added, of the statesmen of commerce likewise. But to this striking combination is to be added the remarkable relations borne by these singularly placed islands to the greater commercial routes traversing this vast expanse known to us as the Pacific, not only, however, to those now actually in use, important as they are, but also to those that must necessarily be called into being by that future to which the Hawaiian incident compels our too unwilling attention. Circumstances, as was before tritely remarked, create centers, between which communication necessarily follows, and in the vista of the future all, however dimly, discern a new and great center that must greatly modify existing sea routes, as well as bring new ones into existence. Whether the canal of the Central American isthmus be eventually at Panama or at Nicaragua matters little to the question now in hand, although, in common with most Americans who have thought upon the subject, I believe it will surely be at the latter point. Whichever it be, the convergence there of so many ships from the Atlantic and the Pacific will constitute a center of commerce, interoceanic and inferior to few, if to any, in the world; one whose approaches will be jealously watched and whose relations to the other centers of the Pacific by the lines joining it to them must be carefully examined. Such study of the commercial routes and their relations to the Hawaiian Islands, taken together with the other strategic considerations previously set forth, completes the synopsis of facts which determine the value of the group for conferring either commercial or naval control.

Referring again to the map, it will be seen that while the shortest routes from the isthmus to Australia and New Zealand, as well as those to South America, go well clear of any probable connection with or interference from Hawaii, those directed toward China and Japan pass either through the group or in close proximity to it. Vessels from Central America bound to the ports of Northern America come, of course, within the influence of our own coast. These circumstances and the existing recognized distribution of political power in the Pacific point naturally to an international acquiescence in certain defined spheres of influence for our own country and for others, such as has already been reached between Great Britain, Germany, and Holland in the Southwestern Pacific, to avoid conflict there between their respective claims. Though artificial in form, such a recognition would, in the case here suggested, depend upon perfectly natural as well as indisputable conditions. The United States is by far the greatest in numbers, interests, and power of the communities bordering upon the North Pacific; and the relations of the Hawaiian Islands to her naturally would be, and actually are, more numerous and more

important than they can be to any other state. This is true, although unfortunately for the equally natural wishes of Great Britain and her colonies, the direct routes from British Columbia to Eastern Australia and New Zealand, which depend upon no building of a future canal, pass as near the islands as those already mentioned. Such a fact, that this additional great highway runs close to the group, both augments and emphasizes their strategic importance; but it does not affect the statement just made that the interest of the United States in them is greater than that of Great Britain, and dependent upon a natural cause, nearness, which has always been admitted as a reasonable ground for national self-assertion. It is unfortunate, doubtless, for the wishes of British Columbia and for the communications, commercial and military, depending upon the Canadian Pacific Railway, that the United States lies between them and the South Pacific and is the state nearest to Hawaii; but, the fact being so, the interests of our 65,000,000 people, in a position so vital to our rôle in the Pacific, must be allowed to outweigh those of the 6,000,000 of Canada.

From the foregoing considerations may be inferred the importance of the Hawaiian Islands as a position powerfully influencing the commercial and military control of the Pacific, and especially of the northern Pacific, in which the United States, geographically, has the strongest right to assert herself. These are the main advantages, which can be termed positive; those, namely, which directly advance commercial security and naval control. To the negative advantages of possession, by removing conditions which, if the islands were in the hands of any other power, would constitute to us disadvantages and threats, allusion only will be made. The serious menace to our Pacific coast and our Pacific trade, if so important a position were held by a possible enemy, has been frequently mentioned in the press and dwelt upon in the diplomatic papers which are from time to time given to the public. It may be assumed that it is generally acknowledged. Upon one particular, however, too much stress can not be laid, one to which naval officers can not but be more sensitive than the general public, and that is the immense disadvantage to us of any maritime enemy having a coaling station well within 2,500 miles, as this is, of every point of our coast line from Puget Sound to Mexico. Were there many others available we might find it difficult to exclude from all. There is, however, but the one. Shut out from the Sandwich Islands as a coal base, an enemy is thrown back for supplies of fuel to distances of 3,500 or 4,000 miles—or between 7,000 and 8,000, going and coming—an impediment to sustained maritime operations well nigh prohibitive. The coal mines of British Columbia constitute, of course, a qualification to this statement; but upon them, if need arose, we might at least hope to impose some trammels by action from the land side. It is rarely that so important a factor in the attack or defense of a coast line—of a sea frontier—is concentrated in a single position, and the circumstance renders doubly imperative upon us to secure it, if we righteously can.

It is to be hoped, also, that the opportunity thus thrust upon us may not be narrowly viewed, as though it concerned but one section of our country or one portion of its external trade or influence. This is no mere question of a particular act, for which, possibly, just occasion may not yet have offered; but of a principle, a policy, fruitful of many future acts, to enter upon which, in the fullness of our national progress, the time has now arrived. The principle accepted, to be conditioned only by a just and candid regard for the rights and reasonable

susceptibilities of other nations—none of which is contravened by the step here immediately under discussion—the annexation, even, of Hawaii would be no mere sporadic effort, irrational because disconnected from an adequate motive, but a first fruit and a token that the nation in its evolution has aroused itself to the necessity of carrying its life—that has been the happiness of those under its influence—beyond the borders that have heretofore sufficed for its activities. That the vaunted blessings of our economy are not to be forced upon the unwilling may be conceded; but the concession does not deny the right nor the wisdom of gathering in those who wish to come. Comparative religion teaches that creeds which reject missionary enterprise are foredoomed to decay. May it not be so with nations? Certainly the glorious record of England is consequent mainly upon the spirit and traceable to the time when she launched out into the deep—without formulated policy, it is true, or foreseeing the future to which her star was leading, but obeying the instinct which in the infancy of nations anticipates the more reasoned impulses of experience. Let us, too, learn from her experience. Not all at once did England become the great sea power which she is, but step by step, as opportunity offered, she has moved on to the world wide preeminence now held by English speech and by institutions sprung from English germs. How much poorer would the world have been had Englishmen heeded the cautious hesitancy that now bids us reject every advance beyond our shore lines. And can any one doubt that a cordial, if unformulated, understanding between the two chief states of English tradition, to spread freely, without mutual jealously and in mutual support, would greatly increase the world's sum of happiness?

But if a plea of the world's welfare seem suspiciously like a cloak for national self-interest, let the latter be frankly accepted as the adequate motive which it assuredly is. Let us not sink from pitting a broad self-interest against the narrow self-interest to which some would restrict us. The demands of our three great seaboards, the Atlantic, the Gulf, and the Pacific—each for itself, and all for the strength that comes from drawing closer the ties between them—are calling for the extension, through the Isthmian Canal, of that broad sea common along which, and along which alone, in all ages prosperity has moved. Land carriage, always restricted and therefore always slow, toils enviously but hopelessly behind, vainly seeking to replace and supplant the royal highway of nature's own making. Corporate interests, vigorous in that power of concentration which is the strength of armies and of minorities, may here for a while withstand the ill-organized strivings of the multitude, only dimly conscious of its wants; yet the latter, however temporarily opposed and baffled, is sure at last, like the blind forces of nature, to overwhelm all that stand in the way of its necessary progress. So the Isthmian Canal is an inevitable part in the future of the United States; yet scarcely an integral part, for it can not be separated from other necessary incidents of a policy dependant upon it, whose details can not be exactly foreseen. But because the precise steps that may hereafter be opportune or necessary can not yet be certainly foretold, is not a reason the less, but a reason the more, for establishing a principle of action which may serve to guide as opportunities arise. Let us start from the fundamental truth, warranted by history, that the control of the seas, and especially along the great lines drawn by national interest or national commerce, is the chief among the merely material elements in the power and prosperity of nations. It is so

because the sea is the world's great medium of circulation. From this necessarily follows the principle that, as subsidiary to such control, it is imperative to take possession, when it can righteously be done, of such maritime positions as contribute to secure command. If this principle be adopted there will be no hesitation about taking the positions—and they are many—upon the approaches to the Isthmus, whose interests incline them to seek us. It has its application also to the present case of Hawaii.

There is, however, one caution to be given from that military point of view beyond the need of which the world has not yet passed. Military positions, fortified posts, by land or by sea, however strong or admirably situated, do not by themselves confer control. People often say that such an island or harbor will give control of such a body of water. It is an utter, deplorable, ruinous mistake. The phrase may indeed by some be used only loosly, without forgetting other implied conditions of adequate protection and adequate navies; but the confidence of our nation in its native strength, and its indifference to the defense of its ports and the sufficiency of its fleet, give reason to fear that the full consequences of a forward step may not be soberly weighed. Napoleon, who knew better, once talked this way. "The islands of San Pietro, Corfu, and Malta," he wrote, "will make us masters of the whole Mediterranean." Vain boast! Within one year Corfu, in two years Malta, were rent away from the state that could not support them by its ships. Nay, more; had Bonaparte not taken the latter stronghold out of the hands of its degenerate but innocuous government, that citadal of the Mediterranean would perhaps—would probably—never have passed into those of his chief enemy. There is here also a lesson for us.

It is by no means logical to leap, from this recognition of the necessity of adequate naval force to secure outlying dependencies, to the conclusion that the United States would for that object need a navy equal to the largest now existing. A nation as far removed as is our own from the bases of foreign naval strength may reasonably reckon upon the qualification that distance—not to speak of the complex European interests close at hand—impresses upon the exertion of naval strength. The mistake is when our remoteness, unsupported by carefully calculated force, is regarded as an armor of proof, under cover of which any amount of swagger may be safely indulged. Any estimate of what is an adequate naval force for our country may properly take large account of the happy interval that separates both our present territory and our future aspirations from the centers of interest really vital to European states. If to these safeguards be added, on our part, a sober recognition of what our reasonable sphere of influence is and a candid justice in dealing with foreign interests within that sphere, there will be little disposition to question our preponderance therein.

Among all foreign states it is especially to be hoped that each passing year may render more cordial the relations between ourselves and the great nation from whose loins we sprang. The radical identity of spirit which underlies our superficial differences of polity will surely so draw us closer together, if we do not willfully set our faces against a tendency which would give our race the predominance over the seas of the world. To force such a consummation is impossible, and, if possible, would not be wise; but surely it would be a lofty aim, fraught with immeasurable benefits, to desire it, and to raise no needless impediments by advocating perfectly proper acts, demanded by our evident interests in offensive or arrogant terms.—(A. T. MAHAN.)

XII. ALSO THE FOLLOWING EXTRACT FROM THE REPORT OF HON. JOHN QUINCY ADAMS, CHAIRMAN OF THE COMMITTEE ON FOREIGN AFFAIRS OF THE HOUSE OF REPRESENTATIVES, ON THE MESSAGE OF PRESIDENT TYLER, DECEMBER 30, 1842.

"It is a subject of cheering contemplation to the friends of human improvement and virtue that, by the mild and gentle influence of Christian charity, dispensed by humble missionaries of the gospel, unarmed with secular power, within the last quarter of a century, the people of this group of islands have been converted from the lowest debasement of idolatry to the blessings of the Christian gospel; united under one balanced government; rallied to the fold of civilization by a written language and constitution, providing security for the rights of persons, property and mind, and invested with all the elements of right and power which can entitle them to be acknowledged by their brethren of the human race as a separate and independent community. To the consummation of their acknowledgment the people of the North American Union are urged by an interest of their own, deeper than that of any other portion of the inhabitants of the earth—by a virtual right of conquest, not over the freedom of their brother man by the brutal arm of physical power, but over the mind and heart by the celestial panoply of the gospel of peace and love."

XIII. ALSO THE FOLLOWING, A TRANSLATION OF THE CONSTITUTION OF THE HAWAIIAN GOVERNMENT OF 1840.

"In the Hawaiian bill of rights, the chiefs endeavored to incorporate in few words the general basis of personal rights, both of the chiefs and common people, and to guard against perversion; and this they have accomplished with, perhaps, as much *precision and consistency* as the Americans, who affirm 'that all men are born free and equal, possessing certain inalienable rights, life, liberty, and the pursuit of happiness.'

"With distinguished and commendable care do the Hawaiians of 1840 acknowledge the paramount authority of God, in which Kaahumanu had set them a noble example, and the importance of an unwavering purpose in legislation not to controvene his word,"

The following translation I have made with care from the original, published at the islands as the constitution of 1840:

"God has made of one blood all the nations of men, that they might alike dwell upon the earth in peace and prosperity. And he has given certain equal rights to all people and chiefs of all countries. These are the rights or gifts which he has granted to every man and chief of correct deportment, life, the members of the body, freedom in dwelling and acting, and the rightful products of his hands and mind; but not those things which are inhibited by the laws.

"From God also are the office of rulers and the reign of chief magistrates for protection; but in enacting the laws of the land it is not right to make a law protecting the magistrate only and not subjects; neither is it proper to establish laws for enriching chiefs only without benefiting the people, and hereafter no law shall be established in opposition to the above declarations; neither shall taxes, servitude, nor labor be exacted without law of any man in a manner at variance with those principles.

"PROTECTION FOR ALL.

"Therefore let this declaration be published in order to the equal protection of all the people and all the chiefs of these islands while

maintaining a correct deportment, that no chief may oppress any subject, and that chiefs and people may enjoy equal security under the same system of law; the persons, the lands, the dwelling enclosures, and all the property of all the people are protected while they conform to the laws of the Kingdom, neither shall any of these be taken except by the provisions of law. Any chief who shall perseveringly act in opposition to this constitution shall cease to hold his office as a chief of these Hawaiian Islands; and the same shall apply to governors, officers of Government, and land agents. But if one condemned should turn again and conform himself to the laws it shall be in the power of the chiefs to reinstate him in the standing he occupied before his trespass.

"FOUNDATION OF LAWS.

"According to the principles above declared, we purpose to regulate this Kingdom, and to seek the good of all the chiefs and all the people of these Hawaiian Islands. We are aware that we can not succeed by ourselves alone, but through God we can; for He is King over all kingdoms; by whom protection and prosperity may be secured; therefore do we first beseech him to point out to us the right course, and aid our work.

"*Wherefore, resolved,*

"I. No law shall be enacted at variance with the word of the Lord Jehovah, or opposed to the grand design of that word. All the laws of this country shall accord with the general design of God's law.

"II. All men of every form of worship shall be protected in their worshipping Jehovah, and in their serving Him; nor shall any one be punished for merely neglecting to serve God, provided he injures no man and brings no evil on the Kingdom.

"III. The law shall support every unblamable man who is injured by another all shall be protected in every good work, and every man shall be punishable who brings evil on the Kingdom or individuals. Nor shall any unequal law be established to give favor to one through evil to another.

"IV. No man shall be punished unless his crime be first made to appear, nor shall he be punished without being examined in the presence of his accuser. When the accused and the accuser have met face to face, and the trial proceeds according to law, and guilt is established before them both, then punishment shall follow.

"V. It shall not be proper for any man or chief to sit as judge or juror to try his own benefactor, or one directly connected with him. Therefore, if one is condemned or acquitted, and it shall soon be known that some of the triers acted with partiality to favor whom he loved, or perhaps to enrich himself, then there may be a new trial before the impartial.

"EXPLANATION OF THE POSITION OF THE RULERS.

"The nature of the position of the chief magistrates and of the policy of the country is this: Kamehameha I was the head of this Kingdom or dynasty. To him pertained all the lands from Hawaii to Niihan, but they were not his own personal property; they belonged to the people and the chiefs, and Kamehameha was their head and the dictator of the country. Therefore no one had before, and no one has now, the right to convey away the smallest portion of these islands without the consent of the dictator of the Kingdom.

"These are the dictators or the persons who have had the direction of it from that time down, Kamehameha II and Kaahumanu I, and at the present time Kamehameha III. To these persons only has belonged the direction or dictatorship of the realm down to the present time, and the documents written by them only are the documents of the Kingdom.

"The Kingdom is to be perpetuated to Kamehameha III and to his heirs, and his heir shall be one whom he and the chiefs shall appoint during his lifetime; but if he shall not nominate, then the appointment shall devolve solely on the nobles and representatives.

"PREROGATIVES OF THE KING.

"This is the King's position: He is the sovereign of all the people and all the chiefs. At his direction are the soldiers, the guns, the forts, and all the implements of war of the Kingdom. At his direction is the public property, the revenue from the poll tax, the land tax, and the three days monthly labor tax, to accord, however, with the provisions of law. He shall possess his own private lands, and such as shall be forfeited for the annual tax.

"He is the chief judge of the supreme court, and to him belongs the execution of the laws of the land, the decrees, and the treaties with other countries, in accordance with the provisions of the laws of this country.

"It is for him to make treaties with the rulers of all other kingdoms, and to hold intercourse with ministers sent hither from other countries, and to consummate agreements.

"It is for him to declare war should a period of distress arrive, and the chiefs could not well be assembled; and he shall be commander in chief of the army. All important business of the Kingdom not committed by law to others, belongs to him to transact.

"OF THE PREMIER OF THE KINGDOM.

"It shall be the duty of the King to appoint a chief of ability and high rank to be his prime minister, who shall be entitled premier of the Kingdom, whose office and business shall be like that of Kaahumanu I and Kaahumanu II. For in the life time of Kamehameha, the questions of life and death, right and wrong, were for Kaahumanu to decide, and at the time of his death he gave charge, 'Let the Kingdom be Liholiho's, and Kaahumanu the prime minister.' That policy of Kamehameha, wherein he sought to secure a premier, is to be perpetuated in this Hawaaiian country, but in accordance with the provisions of law.

"This is the business of the premier: Whatever appropriate business of the Kingdom the King intends to do the premier may do in the name of the King. The words and acts of the Kingdom by the premier are the words and acts of the King. The premier shall receive and acknowledge the revenue of the Kingdom and deliver it to the King. The premier shall be the King's special counsellor in all the important business of the Kingdom. The King shall not transact public business without the concurrence of the premier; nor shall the premier transact public business without the concurrence of the King. If the King shall veto what the premier counsels or attempts *that is a negative.* Whatever important public business the King chooses to transact in person he may do, but only with the approbation or consent of the premier.

"OF GOVERNORS.

"There shall be four governors in this Hawaiian country; one of Hawaii, one of Maui and the adjacent isles, one of Oahu, and one of Kauai and the adjacent isles. All the governors from Hawaii to Kauai shall hold their office under the King.

"This is the character and duty of the office of governor: He is the director of all the tax officers in his island, and shall sustain their orders which he shall deem right, confirming according to the provisions of law, and not his own arbitrary will. He shall preside over all the judges of his island and execute their decisions as above stated. He shall choose the judges of his district and give them their commissions.

"The governor is the high chief (viceroy) over his island or islands, and shall have the direction of the forts, the soldiers, guns, and all the implements of war. Under the King and premier shall be all the governors from Hawaii to Kauai. Each shall have charge of the revenue of his island, and shall deliver it to the premier.

"In case of distress he may act as dictator, if neither King nor premier can be consulted. He shall have charge of all the King's business on the island, the taxation, improvements, and means of increasing wealth, and all officers there shall be under him. To him belong all questions and business pertaining to the government of the island, not assigned by law to others.

"On the decease of a governor, the chiefs shall assemble at such a place as the King shall appoint, and together seek out a successor of the departed governor, and the person whom they shall choose and the King approve by writing shall be the new governor.

"OF CHIEFS OR NOBLES UNDER THE KING.

"In the public councils of the chiefs these are the counsellors for the current period: Kamehameha III, Kekauluohi, Hoapiliwahine, Kaukini, Kekauonohi, Kahekili, Paki, Konia, Keohokalole, Leleiohoku, Kehuanaoa, Keliiahonui, Kanaina, Li Keoniana, a me Haalilio, and if a new member is to enter the law shall specify it. These persons shall take part in the councils of the Kingdom. But if the council choose to admit others merely for consultation it shall be allowable, the specified counsellors only being allowed to vote. No law shall be enacted for the country without their consent.

"In this manner shall they proceed: They shall meet annually to devise means for benefiting the country and enact laws for the Kingdom. In the month of April shall they assemble at such time and place as the King shall appoint. It shall be proper for the King to take counsel with them on all the important concerns of the Kingdom in order to secure harmony and prosperity, or the general good, and they shall attend to all the business which the King shall commit to them. They shall retain their own personal estates, larger or smaller divisions of the country, and may conduct their affairs on their own lands according to their pleasure, but not in opposition to the laws of the Kingdom.

"OF REPRESENTATIVES ELECTED

"Several men shall be annually chosen to act in council with the King and chiefs, and to devise with them laws for the country. Some from Hawaii, some from Maui, some from Oahu, and some from Kauai, shall the plebeians choose according to their own pleasure. The law

will determine the method of choosing and the number to be chosen. These chosen representatives shall have a voice in the Government, and no law can be established without the consent of the majority of them.

"OF THE MEETINGS OF THE LEGISLATURE OR PARLIAMENT.

"There shall be an annual meeting as aforesaid, but if the chiefs choose another meeting at another time they may meet at their discretion.

"In the assembling of Parliament, let the hereditary nobles meet by themselves and the elected rulers meet by themselves. But if they choose to take counsel together occasionally at their discretion, so be it.

"In this manner shall they proceed: The hereditary chiefs shall choose a secretary for their body, and on the day of their assembling he shall record all their transactions; and that book shall be preserved that what they devise for the Kingdom may not be lost.

"In the same manner shall the elected representatives proceed; they shall choose a secretary for themselves, and on the day they assemble, to seek the good of the Kingdom and agree on any measure, he shall record it in a book, which shall be carefully preserved, in order that the good desired for the country may not be lost. And no new law shall be established without the consent of a majority of the nobles and of the elected representatives.

"When any act or measure shall have been agreed on by them it shall be carried on paper to the King, and if he approves and signs his name, and also the premier, then it shall become a law of the Kingdom, and it shall not be repealed except by the body which enacted it.

"OF THE TAX OFFICERS.

"The King and premier shall choose tax officers and give them a commission in writing. They shall be distinct for the separate islands. There shall be three, or more or less, for each island, at the discretion of the King and premier.

"A tax officer, having received a commission, shall not be removed without a trial. If convicted of crime he may be removed; but the number of years the office shall continue may be previously limited by law.

"This is clearly the business of the tax officers: They shall apprise the people of the amount of assessment, that they may hear beforehand at the proper time; they shall proceed according to the orders of the governors and the provisions of law; and when the time for paying taxes shall arrive, they shall collect the amount and deliver it to the governor, and the governor to the premier, and the premier to the King. The tax officers shall also direct the public labor for the King, but may commit its details to the land agents, presiding themselves over them in this work. They shall also have charge of any new business which the King may design to extend through the Kingdom, but in their doings they shall be subordinate to the governors. They shall be arbiters of the tax laws, and in all cases where land agents or landlords oppress the peasantry, and in every difficulty between land agents and tenants, and everything specified in the tax law established June 7th, 1839.

"In this manner shall they proceed: Each shall exercise his office

in his own district. If a difficulty arise between a land agent and a tenant the tax officer shall investigate it, and if the tenant is in fault the tax officer and land agent shall execute the law upon him; but if the land agent is in fault in the judgment of the tax officer the latter shall call the other tax officers of the island, and, if they agree with him, judgment against the land agent is confirmed, and the governor shall execute the law on him; but if any believe the tax officer to have erred the governor may be apprised and try the case over again, and if he is believed to have erred the case may be made known to the supreme judges, and they shall try the case anew.

"OF THE JUDGES.

"The governor of each island shall choose judges for the island according to his own mind, two or more, at his own discretion, and give them a written commission. When they receive this they shall not be removed without trial, but the law may limit their term of office.

"In this manner shall they proceed: The court days shall be declared beforehand, and when the appointed day arrives they shall proceed with trials according to law. To them shall be given jurisdiction in respect to all the laws except those connected with taxation, and to the difficulties between land agents, landlords, and tenants. The governor shall sustain them and execute their judgment. But if their judgment is thought to be unjust he who thinks so may complain or appeal to the supreme judges.

"OF THE SUPREME JUDGES.

"The elected representatives shall choose four judges to assist the King and premier, and these six shall be the supreme judges of the Kingdom. This shall be their business: Cases of difficulty not well adjusted by the tax officers or island judges they shall try again according to law; the court days shall be declared beforehand, that those who are in difficulty may apply, and the decision of this court shall stand. There is thereafter no appeal. Life and death, to bind and release, to fine and not to fine, are at their disposal, and with them the end of controversy.

"OF CHANGES IN THE CONSTITUTION.

"This constitution shall not be considered as fully established until the people generally shall have heard it, and certain persons as herein mentioned shall be chosen and shall assent to it, then firmly established is this constitution.

"And thereafter, if it be designed to alter it, the people shall be first apprised of the nature of the amendment intended to be introduced, and the next year, at the meeting of the nobles and representatives, if they agree to insert a passage or to annul a passage, they may do it lawfully.

"This constitution, above stated, has been agreed to by the nobles, and our names are set to it this eighth day of October, in the year of our Lord 1840, at Honolulu, Oahu.

(Signed),

"KAMEHAMEHA III,
"KEKAULUOHI."

"The house of nobles, or hereditary lords and ladies, consisted of the King himself, a female premier, four governors of islands, four women of rank, and five chiefs of the third rank. The people were allowed to choose by districts annually seven men to be members of the national Legislature for a year: two from Hawaii, two from Maui and adjacent islands, two from Oahu, and one from Kauai, the Government bearing their expenses. The proposition was also distinctly made to increase the number after a time. The right of suffrage, so far as to vote for one or two men to act in making laws and appointing supreme assistant judges, was extended to all, but guarded with peculiar care."

XIV. ALSO THE FOLLOWING FROM THE REMARKS OF MR. DRAPER, OF MASSACHUSETTS, MADE IN THE HOUSE OF REPRESENTATIVES, AND PUBLISHED IN THE CONGRESSIONAL RECORD OF FEBRUARY 4, 1894.

I believe that the true policy of this Government is to negotiate a suitable treaty with the *de facto* Government in Hawaii, and annex the islands.

After this (or before if necessary), if Liliuokalani is supposed to have any rights, purchase them (since she is willing to sell), but on no account ought we to neglect this opportunity of securing this naval and coaling station, so important to us, both from the point of view of commerce and of coast defense.

I will first point out briefly its advantages to us from a commercial point of view.

Situated at the intersection of the trade route between North America and Australasia, with the rich commercial stream which will flow between the China Seas and the Atlantic as soon as the Isthmus canal (whether it be through Nicaragua or Panama) is opened, the position of Hawaii is ideal for controlling both lines of commerce; and, for a nation which expects to maintain trade routes in the Pacific, its possession is a necessity.

All the great commercial powers recognize the fact that our trade must be guarded; that convenient stations, as near as possible to the well-defined trade routes, must be established; and that supplies and facilities for refitting may be available at distances not too widely separated.

Until 1886 Hawaii was nearer to the territory of the United States than to that of any other power, the distance to San Francisco being but 2,100 miles, while the British fortified port of Victoria, with its neighboring dockyard of Esquimault, and coal mines of Nanaimo, was 2,360 miles distant. The next nearest British port was Leonka, in the Fiji group, 2,700 miles distant in an opposite direction.

French territory was 2,380 miles distant at Tahiti; Germany held the Admiralty Islands, distant 3,400 miles; and Spain the Caroline Islands, 2,600 miles distant, and the Ladrones, about 2,900 miles distant.

Since that time Germany has moved up to a distance of 2,098 miles, by annexing the Marshall Islands and placing herself in a flanking position on both the South Pacific and transpacific trade routes. France, by the acquisition of the Low Archipelago and the Marquesas Islands, is 2,050 miles distant from Hawaii, on the South Pacific route. Great Britain has advanced from Fiji toward the intersecting point on clearly defined lines, annexing group after group and detached islands when they were on the line of approach, even though uninhabited or without harbors and of no commercial value, until in 1891 her flag was

planted on Johnston Island, 600 miles from Hawaii, and the nearest point she can approach to her American territory, unless the next move be the occupation of Hawaii itself.

In one year, 1888, British cruisers took possession of the Savage, Suwarrow, and Phœnix groups and Christmas and Fanning islands, and in 1892 the occupation of the Gilbert and Ellice groups and Gardner and Danger islands completed the covering of the South Pacific trade from Johnston Island to Australia. The only unannexed group on that line remaining is the Samoan Islands, and they are closely surrounded by British and French possessions.

It has not been a blind grab for territory which has been going on in the South Pacific for six years past, but a working out of strategical schemes with definite ends in view; and the United States is the only great power interested in the Pacific trade which has not had the wisdom to acquire territory in localities where the great trade of the future will need guarding and supplying.

Samoa and Hawaii have been ripe to our hands for years. They are most advantageously situated for our needs, as bases from which our cruisers could work in time of war to protect our own trade and break up that of an enemy. The moral force of the United States is all that has kept European hands off these two groups to the present time, but should a strategic necessity for their occupation by either of those powers arise moral force would lose its power and we would have to be prepared to then fight for them or to retire at once from the absurd dog-in-the-manger position we have so long occupied.

To appreciate fully the question of ocean trade it is well to observe the policy which Great Britain has consistently and successfully followed for generations in developing and supporting her commerce. Trade with India was established, then the route was guarded. When the Suez Canal was cut a different disposition was needed; and they now have the complete chain of guard stations formed by Gibraltar, Malta, Cyprus, Egypt, and Aden, the chain being continued to China by Ceylon, Penang, Singapore, and Hongkong. The route around the Cape of Good Hope and to Australia is covered by Sierra Leone, Ascension, St. Helena, Cape Town, Natal, Zanzibar, and Mauritius. To America the route is guarded by St. Johns, Halifax, Bermuda, Jamaica, St. Lucia, Barbados, Nassau, Balize, and Demerara.

The Falkland Islands at the southern extremity of America form a guard station for the trade passing around Cape Horn, and up to this point it is well to note that no station is farther than 3,000 miles from the next on the trade route it is designed to protect; and cruisers patrolling the routes, as well as merchant vessels traversing them, need never be farther removed than 1,500 miles from a base where supplies of coal and facilities for refitting are available.

The foresighted statesmen of Great Britain have had a full understanding of the fact that the preservation intact of the circulation of British ships in the great arteries of trade is an absolute requisite to the well-being and even life of the British Empire, and this it is which has guided them in the establishing around the world a complete chain of guarded stations, from which her commerce can be supplied and succored, whether peace or war prevail.

Until very recent times British trade in the Pacific has not been essential so far as the welfare of the Empire was concerned, and the guarding stations at the Falkland Islands, Fiji, and Victoria, British Columbia, may have been supposed to be sufficient for all needs; but it is worthy of note that as long ago as 1877 an essayist of acknowledged ability (Vice-Admiral Colomb, of the British navy) asserted, "I

hold it futile to attempt the defense of the Pacific trade route by any sort of vessels which must rest on the bases of Vancouver, Fiji, and the Falkland Islands." It is also worthy of note that contemporaneously with the completion of the Canadian Pacific Railroad, and the establishment from its Pacific terminus of regular steamer lines to China and to Australasia, the British bases began to be moved closer together; and when the probability of the building of the Nicaragua Canal was established, the movement toward the trade center at Hawaii became a very rapid one.

At present, instead of the wide gaps in the British system of 3,000-mile stations, which existed when the Falkland Island station was 7,900 miles from that at Vancouver and 6,700 miles from that at Fiji, which in turn was 4,800 miles from Vancouver, they have established the flag of the Empire at Easter Island, 2,400 miles from the Falkland group, which is in turn 600 miles from newly acquired Ducie Island, from where Pitcairn Island is 300, and the Cook group still farther, 1,800 miles, on a line toward Fiji. On the line from Fiji to Vancouver the gap has been shortened to 2,900 miles from Johnston Island to Vancouver, and all the intermediate territory from Johnston Island to Fiji is under the British flag.

Other stations are still needed, and British strategists make no secret of the assertion that on the outbreak of war with a maritime power, a necessary first move, unless the Pacific trade were to be abandoned, would be the occupation and retention of Hawaii, Guadalupe Island, off the coast of Lower California, and one of the islands in the Bay of Panama, with a reliance on the friendship or fears of the South American States for depots at Callao and Valparaiso. As a matter of fact, they have such a depot at present in the harbor of Callao.

Now, Mr. Speaker, sentiment has not hoisted the British flag over these isolated ports, which, to maintain in a state of efficiency, are a source of great expense without any apparent return. Their coal depots, storehouses, repairing facilities, and at salient points batteries and garrisons, are provided by a business instinct purely, which recognizes that the trade which is the lifeblood of the empire must be efficiently guarded; and centuries of experience have taught them the proper means to employ.

If there is a gap in the guard stations of the Pacific trade at present, or a salient point which should be possessed, and Hawaii is such a point, sentiment, which does not trouble our British friends, will not prevent their cruisers, under the direction of far-seeing statesmen, whose aim is to secure any and every advantage for British trade, from seizing and holding, when the time to them seems propitious, just what is thought necessary to strengthen the weak places in their trade-route patrol.

War ships to patrol a trade route efficiently, to guard their own commerce and damage that of an enemy, require bases from which to operate with the certainty of finding their necessities supplied at any one of them. Merchant vessels in time of war require them as points of rendezvous and refuge, and, as we have seen, Great Britain has foreseen the necessities and provided such bases at convenient points. No other nation has this immense advantage, although France and Germany are making great efforts, the former in Africa, Asia, and Australasia, and the latter, so far, in Africa and Australasia only, where coal depots and bases for naval operations have been established.

The United States has the right to establish coal depots in Samoa and Hawaii, and at present small supplies exist at both places; but

unprotected they are of no value, and Germany has equal rights in the former.

The concession in 1887 of Pearl River, in Hawaii, to the United States for use as naval station, with exclusive privilege of establishing a dry dock, storehouses, and repair shops, is a valuable one, but has never been utilized. The situation is admirable, and the estimated cost of necessary fortifications and harbor works is moderate in view of the great advantage to our nation.

Our position with regard to dry docks in the Pacific is peculiarly weak. Modern war vessels require docking at intervals, and a fleet to maintain command of the sea must have dry docks in which to make repairs and maintain the ship in a state of full efficiency as to speed. We have not one dock outside the mainland of our country which would be available for our ships in time of war; and on the entire Pacific coast have at present but one large and one small dock, at the Mare Island navy-yard, and one building in Puget Sound, and our vessels in the Pacific would have to return to them whenever docking was requisite.

Great Britain, on the contrary, has made ample provisions in this respect. Bordering on the Pacific she has Government dry docks at Esquimault, Brisbane, Sydney, Melbourne, and Hongkong, while many private docks are available in the ports of Australia, New Zealand, Hongkong, Singapore, Penang, and India.

France has Government dry docks in New Caledonia and Saigon, Cochin China. Holland has governmental dry docks, which would probably be available for Germany, in Sourabaya and Batavia; and Russia has two large ones in the southeast corner of Siberia, at Vladivostock. We must have additional docking facilities if we are to maintain either naval power or trade in the Pacific waters it time of war.

Coming now to the strategic advantages from coast defense point of view.

No naval force can operate on a hostile coast without a friendly base within easy distance. Our Atlantic coast is faced by a line of foreign bases. England has strongly fortified Halifax on our Northeast border, and built Government dry docks both there and at St. Johns. Six hundred and ninety miles from New York, and less than 600 from the Carolina coast, she has at great expense fortified Bermuda, furnished it with the largest floating dry dock in the world, and supplied it with great stores of coal and shops for repair work, and all for the sole purpose of maintaining a base from which British naval forces could operate against the Atlantic coast of the United States in time of war. Jamaica and St. Lucia perform the same duty with regard to our Gulf coasts and the isthmus transit; and it is a notable fact that the defenses of all these places have been extensively augmented since an isthmus canal became a possibility of the near future.

France has St. Pierre and Miquelon on our Northeast borders, with Guadeloupe, Martinique, and Cayenne on the South coast. Spain has her bases in Cuba and Porto Rico; the Dutch in Curacoa, and the Danes in St. Thomas; and it is not improbable that either of the two latter may be available for a German base should occasion arise.

Any power which has not such a naval base off our coast can not make successful war upon the United States, a fact which was quickly appreciated by Italy during a late diplomatic incident; and an early move of the United States in a war with either of the European powers possessing these bases would have to be their capture and retention, if

possible. If the United States held all the bases named it would be practically free from attack on its Atlantic coast.

In the Pacific we now have the opportunity to secure our Western coast by accepting possession of Hawaii as our most rational form of coast defense. With adequate fortifications on these islands, and a suitable naval force in the Pacific, our coast would be far more secure in time of war than it could be made by any expenditure for harbor defenses on the mainland alone.

Further, if our commercial interests are to predominate in the future in those waters our fleet must predominate there also, and a properly proportionate fleet would be a sufficient guaranty that serious attack would not be made on this most important naval base.

The same is equally true of our entire Pacific coast, as with such a fleet, with bases at San Francisco, Hawaii, and the entrance to the Nicaragua Canal, not only would our Pacific trade be secure and that of any other power untenable, but our coast line would be equally secure, and American control of the canal, so far as the Pacific end of it is concerned, would be assured.

Excepting Hawaii the only base for possible extensive naval operations against the Pacific States is the British station at Esquimault, which is susceptible of capture by a land expedition.

It must be distinctly understood that Hawaii can not remain independent supported only by moral force. It is of too great strategic value and will assuredly meet the fate of all islands and isolated points of like value at the hands of either Great Britain, France, or Germany, each of the two former having already once seized them (once in 1843 and once in 1849). Even if the United States were by moral force to preserve Hawaiian independence during time of peace the islands would undoubtedly be seized by the first naval power with whom we went to war, and held by all the force it could muster, as a base from which to attack our Western coast and gain control of the prospective canal.

For the United States to expend great sums on the local defense of San Francisco in the shape of forts and harbor defenses, and leave Hawaii to become a base for operations against them, is a short-sighted and extravagant policy.

As Bermuda is a standing menace in front of our Atlantic coast, so will Hawaii become a similar one to our Pacific coast, if we do not hold it as an essential part of our coast defense.

COAL.

To make the advantage of Hawaii to this country from a naval standpoint clearer I will devote a little time to some details of the question of coal and coaling stations.

The possession of unlimited coal is a great advantage to a nation, but in order to convert it into naval advantage it must be placed on board of a ship of war. This is a simple thing with us so long as our naval vessels are in home ports, or so long as we are at peace, wherever the ships may be. It is in time of war that the difficulties of making our naval strength felt away from our own coasts will become apparent. Neutral ports will then be closed to our cruisers so far as supplying their coal necessities is concerned, for coal will be contraband of war as much as is other ammunition. Coaling in the open sea from supply ships is, up to the present time, an unsolved problem, and even if satisfactory mechanical arrangements be devised the supply vessels must run the gauntlet of hostile cruisers for great distances. A certainty of finding

the collier in specified localities on definite dates, which is almost impossible without naval stations, must also be established, as a failure to meet would result in leaving the cruiser helpless.

Wind is no longer a motive power for ships of war, and the days when a cruiser could keep the sea and do the work she was designed for, so long as her provisions and water held out, are gone. Coal is now the prime necessity, and unless our cruisers have points provided for them to which they can go with a certainty of finding a supply, they will on the outbreak of war have to be brought home to operate off our own coasts from the home bases of supply, or else be left powerless in neutral harbors until the close of the war.

The only other solution is to build cruisers of such size that they can carry their own coal and remain at sea for long periods independent of coal depots or supply vessels.

According to the published performances of our cruisers the very best that has yet been done by one of them is the late voyage of the *Philadelphia*, steaming from Callao to Honolulu, a distance of 5,200 miles, burning 703 tons of coal in eighteen days, at the rate of 12 knots an hour, and 39 tons of coal a day, which gives a distance of 7·3 knots per ton of coal burned.

As this ship and all the others of her class (and we have a number of them) can carry only about 1,000 tons of coal, in some cases less, she would have been powerless to reach any other port from Honolulu had she not been able to replenish her supply upon arrival.

It is not known that the cruisers of any foreign power have done so well; and it is a fact that, class for class, our cruisers carry more coal and steam better than do those of other nations; but it is also a fact that we need much greater coal-carrying capacity than we have at present, or else we must follow foreign example and establish coal depots.

It is published that we have two commerce-destroyers, with light batteries, substantially completed, each to carry 2,200 tons of coal, which at the *Philadelphia's* rate of 7·3 knots per ton of coal, would enable them to cover at slow speed about 16,000 miles; but if they are to destroy commerce they will have to occasionally steam at much greater speed than 10 to 12 knots, and it is safe to say that in time of war they could not cover a greater distance than 12,000 miles without replenishing their supply. This would mean an immediate return after a cruise of 6,000 miles, as we have now no place to which they could go away from our mainland, with a certainty of getting the coal that is absolutely necessary to their usefulness.

England does not need a coal capacity in any of her vessels greater than will enable them to traverse 4,000 or 5,000 miles, as we have seen that her coal depots are planted along the trade routes at distances of about 3,000 miles.

France, where she has important commercial interests, has similar depots; so have Germany, Holland, and Spain.

Russia is nearly as badly off as is the United States, but she has the fortified depot of Vladivostock in Asiatic waters and has lately acquired the use of French ports wherever she may need them. Even with these advantages she is furnishing herself with crusiers of great size, carrying over 3,000 tons of coal.

We have neither the depots nor the cruisers of great coal endurance; and the most rational mode of strengthening this very apparent weakness would seem to be to obtain coal depots, as the English do, and to begin by accepting the most valuable one of Hawaii.

As an example on this point, no foreign armored ships have a greater coal endurance than those of Italy, yet not one of these immense ships can steam over 7,000 miles without replenishing its supply, and some of them can not do so well.

As the distance from Italy to the coast of the United States is practically about 5,000 miles, they would have a very brief period of usefulness after arrival on our coasts, in the absence of the bases possessed by other European powers, and would have to rely on supply cruisers over a long line of communication, which could be cut off by cruisers, in the absence of the most efficient patrol.

The same is quite true of the United States or any other power which undertakes a naval expedition without a base, as no number of batteries or battalions stationed on the mainland can secure the safety of the needed supplies while in transit, or the usefulness of a naval force at any distance from a home port.

The development of foreign commerce is one, perhaps the principal, argument advanced for the free-trade policy of the Democratic party. While not agreeing with this policy, I am willing to agree that ocean trade is an important source of prosperity to any nation. That of the Pacific is just opening on an era of activity which will be vastly augmented on the completion of an isthmus canal, and this trade belongs to the United States, if we are wise enough to secure it.

But trade, to establish itself on a sound basis, must feel assured of protection at all times, and know that it will not have to be abandoned on the outbreak of every little war which may turn loose upon it a pack of destroyers of insignificant strength, compelling it to lie idle with all the capital involved until peace prevails again.

If the United States aim at commercial supremacy in the Pacific, its trade must have such assurances, and a first necessity is the acquisition of bases for the protectors. Not only Hawaii is needed, but Somoa (distant 2,260 miles); a station at the mouth of the canal (say, 4,200 miles from Honolulu and 3,000 from San Francisco); and another at the Straits of Magellan (distant 4,000 miles from the isthmus and 5,000 from Somoa). With these bases, a properly organized fleet of sufficient size to keep the communications open between them, will hold the Pacific as an American ocean, dominated by American commercial enterprise for all time.

Now, the value of these islands to the United States for the reasons I have stated has long been appreciated by American statesmen.

Minister Stevens, whatever attacks may be made upon him, is certainly an able, farsighted, and loyal American, and his letter of November 20, 1892, to Secretary Foster, on this subject, is well worthy of perusal.

Minister McCook wrote in 1866 to Secretary Seward in regard to the Sandwich Islands, in part, as follows:

"They are the resting place, supply depot, and reshipping point of all our American whaling fleet. The greater part of the agricultural, commercial, and moneyed interests of the islands are in the hands of American citizens. All vessels from our Pacific coast to China pass close to these shores.

"Geographically these islands occupy the same important relative position toward the Pacific that the Bermudas do toward the Atlantic coast of the United States, a position which makes them important to the English, convenient to the French, and, in the event of war with either of those powers, absolutely necessary to the United States."

Minister Pierce, in 1871, wrote the following to Secretary Fish:

"Impressed with the importance of the subject now presented for consideration, I beg leave to suggest the inquiry whether the period has not arrived making it proper, wise, and sagacious for the United States Government to again consider the project of annexing the Hawaiian Islands to the territory of the Republic. That such is to be the political destiny of this archipelago seems a foregone conclusion in the opinion of all who have given attention to the subject in this country, the United States, England, France, and Germany.

"A majority of the aborigines, creoles, and naturalized foreigners of this country, as I am credibly informed, are favorable, even anxious for the consummation of the measure named.

"The native population is fast disappearing. The number existing is now estimated at 45,000, having decreased about 15,000 since the census of 1866. The number of foreigners in addition is between 5,000 and 6,000, two-thirds of whom are from the United States, and they own more than that proportion of foreign capital, as represented in the agriculture, commerce, navigation, and whale fisheries of the Kingdom.

"I now proceed to state some points of a more general character which should influence the United States Government in their decision of the policy of acquiring possession of this archipelago, their geographical position, occupying, as it does, an important central strategical point in the North Pacific Ocean, valuable, perhaps necessary, to the United States for a naval depot and coaling station, and to shelter and protect our commerce and navigation, which in this hemisphere is destined to increase enormously from our intercourse with the 500,000,000 population of China, Japan, and Australia. Humboldt predicted that the commerce on the Pacific would in time rival that of the Atlantic. A future generation, no doubt, will see the prophecy fulfilled.

"The immense injury inflicted on American navigation and commerce by Great Britain in the war of 1812–1814 through her possession of Bermuda and other West India Islands, as also that suffered by the English from French privateers from the Isle of France during the wars between those two nations, are instances in proof of the necessity of anticipating and preventing, if we can, similar evils that may issue from these islands if held by other powers.

"Their proximity to the Pacific States of the Union, fine climate and soil, and tropical productions of sugar, coffee, rice, fruits, hides, goatskins, salt, cotton, fine wool, etc., required in the West, in exchange for flour, grain, lumber, shooks, and manufactures of cotton, wool, iron, and other articles, are evidence of the commercial value of one to the other region. Is it probable that any European power who may hereafter be at war with the United States will refrain from taking possession of this weak Kingdom in view of the great injury that could be done to our commerce through their acquisition to them?"

Secretary Fish, in a letter of instruction of March, 1873, used the following language:

"The position of the Sandwich Islands as an outpost, fronting and commanding the whole of our possessions on the Pacific Ocean, gives to the future of those islands a peculiar interest to the Government and people of the United States. It is very clear that this Government can not be expected to assent to their transfer from their present control to that of any powerful maritime or commercial nation. Such transfer to a maritime power would threaten a military surveillance in the Pacific similar to that which Bermuda has afforded in the Atlantic. The latter

has been submitted to from necessity, inasmuch as it was congenital with our Government, but we desire no additional similar outposts in the hands of those who may at some future time use them to our disadvantage."

Gen. Schofield, in May, 1873, under confidential instructions from the Secretary of War, made a full report upon the value of Pearl Harbor as a coaling and repair station, recommending its acquisition, and later he appeared before a committee of the House of Representatives to urge the importance of some measure looking to the control of the Sandwich Islands by the United States.

Now, the desired and desirable opportunity has arrived. The Provisional Goverment proposes a treaty of annexation, and the so-called Queen is ready to part with such rights as she has for a comparatively small sum.

The whites of the island desire earnestly to join us, and the natives certainly are not violently opposed.

This is shown by the fact that when the American flag was lowered in Hawaii, by order of Commissioner Blount, although it created some excitement in this country, it caused no rejoicing there, according to Mr. Blount's report.

He says:

"Inspired with such feelings, and confident no disorder would ensue, I directed the removal of the flag of the United States from the Government building, and the return of the American troops to their vessels. This was accomplished without any demonstration of joy or grief on the part of the populace."

Capt. Hooper says:

"There were no demonstrations of any kind as the American flag came down, and not a single cheer greeted the Hawaiian flag as it was raised aloft. The native men stood around in groups, or singly, smoking and chatting and nodding familiarly to passing friends, or leaning idly against the trees and fences, while the women and children, which formed a large proportion of the assemblage, were talking and laughing good-naturedly. As the hour for hauling down the American flag approached, many people, men, women, and children could be seen approaching the Government square in a most leisurely manner, and showing more interest in the gala-day appearance of the crowd than in the restoration of their national flag. The air of good-natured indifference and idle curiosity with which the native men regarded the proceedings, and the presence of the women and children in their white or bright-colored dresses was more suggestive of a country "fair" or horse race than the sequel of a 'revolution.'"

Even the presence of the "armed forces" of the Provisional Government, numbering, perhaps, 200, parading the corridors of the Government house, failed to elicit any sign of a feeling of anger or resentment.

Mr. John F. Colburn, one of the Queen's cabinet, in describing the revolution, says:

"The next day (Monday) the proclamation dictated by these gentlemen was printed and posted and distributed all over town. Later on in the day two mass meetings were held, one by the native element and the other by the foreign element. At the former the natives accepted the proclamation, though it was directly contrary to what they wanted (a new constitution), and the latter denounced the Queen and left everything in the hands of the committee of safety spoken about."

Colburn's remark that the natives accepted the proclamation, although it was directly contrary to what they wanted, is delicious.

There is no reason against annexation in the dissimilarity of laws, as an official document issued by our War Department in February of this year contains the following statement:

"The laws are modeled on those of the United States. There is a supreme court of justice, and, in addition, circuit judges and justices of the peace."

On the authority of this book I also state that 91 per cent of the trade of these islands is with the United States.

The former policy of our Government toward Hawaii and the anticipation of their eventual annexation is detailed in the report of Secretary Foster, of February 15, 1893, from which I will read briefly.

[Senate Ex. Doc. No. 77, Fifty-second Congress, second session.]

"The policy of the United States has been consistently and constantly declared against any foreign aggression in the Kingdom of Hawaii inimical to the necessarily paramount rights and interests of the American people there and the uniform contemplation of their annexation as a contingent necessity. But beyond that it is shown that annexation has been on more than one occasion avowed as a policy and attempted as a fact. Such a solution was admitted as early as 1850 by so farsighted a statesman as Lord Palmerston when he recommended to a visiting Hawaiian commission the contingency of a protectorate under the United States, or of becoming an integral part of this nation in fulfillment of a destiny due to close neighborhood and commercial dependence upon the Pacific States.

"Early in 1851 a contingent deed of cession of the Kingdom was drawn and signed by the King and placed sealed in the hands of the commissioner of the United States, who was to open it and act upon its provisions at the first hostile shot fired by France in subversion of Hawaiian independence.

"In 1854 Mr. Marcy advocated annexation, and a draft of a treaty was actually agreed upon with the Hawaiian ministry, but its completion was delayed by the successful exercise of foreign influence upon the heir to the throne, and finally defeated by the death of the King, Kamehameha III.

"In 1867 Mr. Seward, having become advised of a strong annexation sentiment in the islands, instructed our minister at Honolulu favorably to receive any native overtures for annexation. And on the 12th of September, 1867, he wrote to Mr. McCook that 'if the policy of annexation should conflict with the policy of reciprocity, annexation is in every case to be preferred.'

"President Johnson in his annual message of December 9, 1868, regarded reciprocity with Hawaii as desirable 'until the people of the island shall of themselves, at no distant day, voluntarily apply for admission into the Union.'

"In 1871, on the 5th of April, President Grant, in a special message, significantly solicited some expression of the views of the Senate respecting the advisability of annexation.

"In an instruction of March 25, 1873, Mr. Fish considered the necessity of annexing the islands in accordance with the wise foresight of those 'who see a future that must extend the jurisdiction and the limits of this nation, and that will require a resting spot in midocean

between the Pacific coast and the vast domains of Asia, which are now opening to commerce and Christian civilization.' And he directed our minister not to discourage the feeling which may exist in favor of annexation to the United States, but to seek and even invite information touching the terms and conditions upon which that object might be effected.

"Since the conclusion of the reciprocity treaty of 1875 it has been the obvious policy of the succeeding administrations to assert and defend against other powers the exclusive commercial rights of the United States and to fortify the maintenance of the existing Hawaiian Government through the direct support of the United States so long as that Government shall prove able to protect our paramount rights and interests.

"On December 1, 1881, Mr. Blaine, in an instruction to the American minister at Honolulu, wrote:

"'It (this Government) firmly believes that the position of the Hawaiian Islands, as the key to the dominion of the American Pacific, demands their benevolent neutrality, to which end it will earnestly cooperate with the native Government. And if through any cause the maintenance of such a position of benevolent neutrality should be found by Hawaii to be impracticable, this Government would then unhesitatingly meet the altered situation by seeking an avowedly American solution of the grave issues presented.'"

Now, a word as to the objections to annexation and I will close. I know that a new line of thought has been developed among us, which I can not better characterize than by calling it a system of national self-abnegation.

If any policy can be shown to be for the special advantage of the United States gentlemen holding these views oppose it.

If Hawaii is valuable to us there will be so much the more generosity in presenting it to England.

If our business has been more prosperous, and our labor better paid than elsewhere, they think this is not fair to the rest of the world, and advocate a reduction of the tariff to equalize conditions.

I do not address myself to gentlemen holding such views, as I can not understand their position nor they mine.

From my own standpoint I have heard only one objection to the policy of annexation that seemed to me to have substantial weight. It is that the population of the Sandwich Islands are in great part unfit for American citizenship. This may be true, but in that case we can annex it as a part of one of our present States, or maintain a territorial government until they are fitted, as we are doing in the case of Alaska, and as we have done heretofore with other annexations.

The fear of annexing these small islands, which we so much need, on grounds of opposition to territorial expansion, seems peculiar, almost absurd, in a country more than three-quarters of whose territory comes from annexations by purchase or otherwise.

	Square miles.
In 1783 our territory amounted to	827,844
The Louisiana purchase added	1,179,931
Florida added	59,268
Texas added	376,133
The Mexican cession, California, etc	545,783
The Gadsden purchase	45,535
The Alaska purchase	577,390
Making a total of	3,603,884

After assimilating all this territory we ought not to be afraid of 6,000 square miles more.

To summarize: These islands will not only be valuable to us, but their possession is a commercial and naval necessity. They are offered to us by both of the parties who claim to be entitled to their control. If we do not accept, their incorporation by one of the European powers is likely, and they will be a menace to our Pacific coast from that time forward.

As Americans, actuated by the desire to advance our country's interests, we shall never have a greater opportunity than the present one, and I sincerely hope we shall take advantage of it.

XV. ALSO THE FOLLOWING EXTRACT FROM AN ARTICLE, PUBLISHED IN HARPER'S MAGAZINE FOR SEPTEMBER, 1883, PREPARED BY MR. MARSHALL, A SPECIAL ENVOY OF KAMEHAMEHA III TO THE UNITED STATES AND ENGLAND, TO ARRANGE FOR THE REVOCATION OF THE ACTS OF LORD GEORGE PAULET IN OCCUPYING HAWAII AS TERRITORY OF GREAT BRITAIN.

AN UNPUBLISHED CHAPTER OF HAWAIIAN HISTORY.

"From 1838 till 1843 the Hawaiian Islands were a bone of contention. Intrigues were constantly set on foot by agents and subjects of France and England, having for their object the subversion of the native Government and the seizure of the islands. In 1839 the French compelled the King, Kamehameha III, to comply with certain unwarrantable demands, and as a security for future good behavior to deposit $20,000. It was thought that the demand was made in expectation that the King would be unable to comply, and that thus the French would have an excuse to seize the groups. The American merchants came forward and raised the sum, and the peril was for a time averted.

"But the plots continued, and in 1842 the British consul, Richard Charleton, a coarse and illiterate man, incited by an ambitious adventurer, one Alexander Simpson, endeavored to involve the native Government in difficulties that would result in hoisting the British flag over the group. In the same year Sir George Simpson, governor of the Hudson Bay Company's territories, visited the islands. An English gentleman of liberal views, he would not lend himself to the intrigues of his countrymen, albeit one of them was his nephew, and by his advice the King, harassed on all sides, decided to send commissioners to the United States, England, and France to try to obtain, if possible, a definite acknowledgment of his Kingdom and sovereignty.

"To this important embassy were appointed Rev. William Richards, formerly one of the American missionaries, but who had been for some time acting as adviser to the King, and Haalileo, a native chief. They quietly embarked in a small schooner for Mazatlan, and crossed Mexico to Vera Cruz. As soon as it was known that they had left the islands on this mission the British consul, Charleton, also secretly embarked for London, via Mexico, to lay his complaints before the British Government, leaving Simpson as deputy to carry out their joint designs, whom, however, the Hawaiian Government declined to recognize.

"On the Mexican coast Charleton fell in with Lord George Paulet, commanding Her British Majesty's frigate, the *Carysfort*, and made his lordship, as his course afterward showed, a convert to his schemes, and, by his formal and plausable complaints against the King, induced

Rear-Admiral Thomas, commanding the British squadron on that station, to order the *Carysfort* to Honolulu for the purpose of investigating the alleged grievances.

"On his arrival Lord Paulet, a hot-headed young nobleman, readily lent himself to the designs of Simpson, without inquiring into the merits of the case, dazzled by the idea of so early in his career making a brilliant stroke for his country, and extending her drumbeat round the world by one more station. Making outrageous demands upon the King, at the cannon's mouth, compliance with which he knew would be impossible, he required, as an alternative, the immediate cession of the Kingdom to England, or he would open fire upon the city and declare war in the name of Great Britain.

"In this terrible crisis the proclamation issued by this native King to his people is so touching and so king-like that I will quote it here:

"'Where are you, chiefs, people, and commons from my ancestors, and people from foreign lands?

"'Hear ye! I make known to you that I am in perplexity by reason of difficulties into which I have been brought without cause, therefore I have given away the life of our land. Hear ye! but my rule over you, my people, and your privileges will continue, for I have hope that the life of the land will be restored when my conduct is justified.

"'Done at Honolulu, Oahu, this 25th day of February, 1843.

"'KAMEHAMEHA III.

"'KEKAULUOHI.'

"Lord Paulet took formal possession of the islands, installing himself as governor of Her Majesty's new dominion, destroyed every Hawaiian flag he could get hold of, and placed an embargo on every native vessel, so that no one could go out and carry the news.

"An American man-of-war, the *Boston*, Capt. Long, had come in a few days before the cession. Capt. Quackenbush, late of Norfolk, Va., was then a midshipman on board of her. The Americans were very indignant. They had their guns double-shotted in hopes of an opportunity to interfere, but, being on a cruise, could not go out of their way to carry the news, and could only remain neutral.

"Lord Paulet would thus have cruelly prevented the King from communicating with his ambassadors, who were abroad successfully working for the acknowledgment of his independence, hoping to commit the home Government to an acceptance of this 'voluntary' cession at the cannon's mouth before the other side of the story could be presented to it. His young lordship and Simpson chuckled over the success of the stroke by which they had, as they supposed, closed every avenue of egress for Hawaiian vessels, and secured the arrival of their own dispatches in England in advance of every other version of the story. Yankee shrewdness was, however, too much for his lordship's plans.

"It happened that the King had chartered his own yacht, *Hoikaika* (Swift Runner), previously to the cession, to an American house for a voyage to Mazatlan and back. Lord Paulet, anxious to get possession of the only creditable craft at the islands, in order to send Simpson as his bearer of dispatches to England by the speediest way, and being prevented, by its charter, from seizing the vessel without the consent of the American house, offered, in case they would relinquish their charter, to allow them to send an agent on the ship to attend to their business on the coast, and to bring down any freight on the return trip, thereby saving them the whole expense of the charter.

"It must be remembered that in those days communication between the islands of the Pacific and the coast was very infrequent, depending on merchant ships that came from Boston twice a year, except for occasional chance vessels.

"Lord Paulet rightly conjectured that the Yankee merchants would jump at the offer to have all their business transacted at his expense, but he little dreamed of all the use that might be made of the opportunity he was giving them.

"The officers of the *Boston*, who would have been glad of an excuse for a forcible interference with his lordship's plans, not being allowed that pleasure, consoled themselves by giving a ball on board, to which the officers of the *Carysfort* were not invited.

"I was then a young merchant in Honolulu, and attended the ball with many other of the American residents. At its height I was quietly invited into the cabin of the *Boston*, where I found Capt. Long, Dr. Judd, previously a prominent American missionary, then acting as the King's minister, and other influential citizens and warm friends of the King. Here I was told of the King's desire to send an envoy to England to present his protest against Lord Paulet's act of violence, and his answer to the charges against him, and to demand the restitution of his sovereignty. I was informed also of the opportunity offered to the firm of Ladd & Co. of sending a messenger to the coast in the yacht.

"Ladd & Co., who were warm friends of the island Government, had proposed that the King should send a secret ambassador, in the character of their commercial agent, thus turning Lord Paulet's masterstroke against himself in the neatest possible way.

"I was asked if I would go in this double capacity of ostensible supercargo and actual minister plenipotentiary.

"Mr. Charles Brewer, who was one of the council, a noble-hearted man, with whom I was about associating myself in business—now enjoying a green old age in Boston—not only gave consent to my going, but agreed to advance for the King the necessary funds, and take his pay in *fire-wood*, all of the King's other revenues having been cut off.

"I readily accepted the commission. No time was to be lost. Lord Poulet had rechristened the *Haikaika* as 'Her Majesty's tender *Albert*,' and was fitting her out with all possible dispatch.

"The King and his premier, a princess almost equal in rank, without whose signature none of his acts was valid, had left the island of Oahu immediately upon the cession, and in sullen dignity of despair buried themselves among the mountains of the adjacent island of Maui, leaving Dr. Judd, his minister, to represent and protect his interests—a man of indomitable courage, unusual ability, and unflinching devotion to his sovereign.

"Those happy isles in that day did not boast a lawyer. My credentials were copied verbatim, except necessary variations, from the old Blue Book containing the credentials of John Adams as the first American minister to England. Mine were a commission as envoy extraordinary and minister plentipotentiary to the court of St. James from the *native King* of the Hawaiian Islands," the title Kamehameha was allowed by Lord Paulet to retain, with some half dozen other blank commissions signed by the King and premier, to be filled out by myself for other countries as occasion might require. These were rendered necessary by the uncertainty of my finding the King's other ambassa-

dors, Haalileo and Richards, with whom, in case I did find them, I was to associate myself.

"The papers were drawn up by Dr. Judd and a confidential clerk at midnight, in the royal tomb in Honolulu, with a king's coffin for a table. So secret was it necessary to keep the transaction that even this clerk was not trusted with the name of the ambassador, which was left to be inserted by myself after I had sailed. The papers prepared, a canoe with picked crew of Kanakas was dispatched from a distant point of the island to summon His Majesty and his suite to a midnight council. Crossing the boisterous channel in this frail conveyance, they landed at midnight on the shores of Waikiki, a suburb of Honolulu, and in its cocoanut grove my credentials received the signature and seal of the king and his *Kuhina-nui*—"great minister"—Kekauluohi, the "Big-mouthed Queen." Then the King and his attendants returned to their mountains without Lord Paulet having a suspicion that they had ever left them.

"The American consul at Honolulu took advantage of the opportunity also to make me the bearer of his dispatches to Washington, with details of the cession, which would, of course, have momentous interest to the American Government, and the protest of the American residents against the act of Lord Paulet."

XVI. ALSO THE FOLLOWING EXTRACTS FROM THE HISTORY OF THE HAWAIIAN ISLANDS, BY JAMES JACKSON JARVES, PUBLISHED IN 1846.

"The chiefs, fully sensible of their political wants, sent, by Mr. Richards, in 1836, to the United States to procure a suitable person to fill the situation of legal adviser and teacher in the new policy circumstances were forcing upon them. In this way they were backed by the opinion of the mission, who, desirous of preserving themselves from the responsibility, would gladly have seen it in able and disinterested hands. The wants of the chiefs were fully appreciated by the American board, but nothing was effected. Individuals of talent, by the time they have acquired the experience suitable for such a post, which in its real effect would have been equivalent to the supreme direction of public affairs, generally have fixed themselves in permanent relations at home.

"With all the modern favor in the cause of missions, and the very many excellent discourses yearly uttered from pulpits, we rarely see entire disinterestedness manifested in the middle-aged—those who have known the world and tasted its goods, however prepared they may be by those very qualifications for the posts they so industriously urge upon others. The path of novelty, enterprise, and benevolence is rarely filled by any except the young and enthusiastic. That the chiefs, relying on the philanthropy of any experienced public man to have complied with their request, should have failed is what might reasonably have been anticipated. A young man, ambitious of the influence if not of the actual power of a Peter the Great or an Alfred, on a petty scale, might readily have been found, but the chiefs were suspicious of youth. Desiring age and experience, they should have offered a salary equivalent to some of the highest posts in the United States. On such a contingency few objections would have been found unanswerable. The path of duty would have been opened to many blind to all other considerations. This is human nature, as we see it in the pulpit and on the bench. In every position it requires its motive power.

"It is said that the honorable Theo. L. Frelingshuysen was invited

to become the adviser of the chiefs, but declined. At all events, Mr. Richards was wholly unsuccessful. On his return, the position of the chiefs being none the less embarrassing, compelled them to apply to the mission for aid. Without any definite action of their body, they commenced that system which by the natural course of events has led to the direct employment of several of their number—having first been disconnected from their ranks—in the service of the Government. Foreigners were required in public affairs. The chiefs chose those on whom they could most rely, and whatever may have been their errors of judgment, the result has shown that they were not mistaken in relying upon their zeal and fidelity; and it may be well be doubted whether, at that time, the Kingdom furnished men more suitable, from knowledge and experience with the people and foreigners to administer to its wants. The history of the policy they adopted will be traced to the period of its present development.

"The mission and their seceders were united in their views to build up a nation of Hawaiians distinct from all foreign influence. The following resolutions, taken from the missionary minutes for 1838, show the just views entertained at this date:

"'*1st Resolved*, That though the system of government in the Sandwich Islands has, since the commencement of the reign of Liholiho, been greatly improved through the influence of Christianity, and the introduction of written and printed laws and the salutary agency of Christian chiefs has proved a great blessing to the people; still, the system is so very imperfect for the management of the affairs of a civilized and virtuous nation as to render it of great importance that correct views of the rights and duties of rulers and subjects, and of the principles of jurisprudence and political economy, should be held up before the King and the members of the national council.

"'*2d Resolved*, That it is the duty of the missionaries to teach the doctrine that rulers should be just, ruling in the fear of God, seeking the best good of their nation, demanding no more of subjects, as such, than the various ends of the Government may justly require; and if church members among them violate the commands of God they should be admonished with the same faithfulness and tenderness in their dependents.

"'*3rd Resolved*, That rulers in power are so by the province of God, and in an important sense by the will or consent of the people, and ought not to resign or shrink from the cares and responsibilities of their offices; therefore, teachers of religion ought carefully to guard the subjects against contempt for the authority of their rulers, or any evasion or resistance of government orders, unless they plainly set at defiance the commands of God.

"'*4th Resolved*, That the resources of the nation are at is own disposal for its defense, improvement, and perfection, and subjects ought to be taught to feel that a portion of their time and services, their property or earnings, may rightfully be required by the sovereign or national council for the support of government in all its branches and departments, and that it is a Christian duty to render honor, obedience, fear, custom, and tribute to whom they are due, as taught in the 13th of Romans, and that the sin of disloyalty, which tends to confusion, anarchy, and ruin, deserves reproof as really and as promptly as that of injustice on the part of rulers or any other violation of the commands of God.'

"'*5th Resolved*, That rulers should be allowed to do what they will with their own, or with what they have a right to demand; we ought

to encourage the security of the right of subjects also to do what they will with their own, provided they render to Cæsar his due.'

"'*6th Resolved*, That rulers ought to be prompted to direct their efforts to the promotion of general intelligence and virtue as a grand means of removing the existing evils of the system, gradually defining and limiting by equitable laws the rights and duties of all classes, that thus by improving rather than revolutionizing the Government, its administration may become abundantly salutary, and the hereditary rulers receive no detriment but corresponding advantage.'

"'*7th Resolved*, That to remove the improvidence and imbecility of the people, and promote the industry, wealth, and happiness of the nation, it is the duty of the mission to urge mainly the motives of loyalty, patriotism, social kindness, and general benevolence; but, while on the one hand he should not condemn their artificial wants, ancient or modern, because they depend on fancy, or a taste not refined, he should, on the other, endeavor to encourage and multiply such as will enlist their energies, call forth ingenuity, enterprise, and patient industry, and give scope for enlarged plans of profitable exertion, which, if well directed, would clothe the population in beautiful cottons, fine linen, and silk, and their arable fields with rich and various productions suited to the climate; would adorn the land with numerous comfortable, substantial habitations, made pleasant by elegant furniture, cabinets, and libraries; with permanent and well endowed school houses and seminaries, large, commodious, and durable churches, and their seas and harbors with ships owned by natives sufficient to export to other countries annually the surplus products of their soil, which may, at no very distant period, amount to millions.

"'*8th Resolved*, That we deem it proper for members of this mission to devote a portion of their time to instructing the natives into the best method of cultivating their lands, and of raising flocks and herds, and of turning the various products of the country to the best advantage for the maintenance of their families, the support of government and of schools, and the institutions of the gospel and its ministers, at home and abroad.'"

"Mr. Richards entered upon his official duties by delivering to the chiefs a course of lectures on political economy and the general science of government. From the ideas thus derived, based upon their old forms, a constitution was drawn up. Although greatly limiting their power, the chiefs passed it unanimously.

"The laws of the Kingdom were carefully revised and published. In comparison with the past the progress of the nation was now rapid. The liberal policy of other nations, and whatever of their forms could with propriety be here transplanted, were embodied in the new statutes, but on a scale commensurate with the feebleness of youth of the people. The penal code was greatly improved; primary and courts of appeal established; the jury system adopted. Provision was made for the more regular enforcement of debt—transmission of property, property in trust, interest in accounts, in short sufficient was done greatly to benefit the position of natives and foreigners. Taxation was rendered more equal and lighter. Encouragement was proffered to industry and to the increase of population. An enlightened public-school system was organized. Their laws, imperfect as they may seem to the critical eyes of a superior civilization, were yet in advance of the people. But wherever they were allowed to operate fairly and systematically much good was effected, and they served to prepare the way for more important changes.

"The people were thoroughly convinced that the immunity once claimed by chiefs for crimes of their own was at an end by an impartial trial by jury of one of that class in 1840 for the murder of his wife. He, with an accomplice, were both brought in guilty, and suffered the full penalty of the law, death by hanging. The foreigners also began to see that there was some virtue in the courts by a fine imposed upon the English consul for riotous conduct"

"On his way to England Mr. Charlton had fallen in with Lord George Paulet, commanding H. B. M. frigate *Carysfort*, and by his representations interested his lordship in his views. Simpson had also sent dispatches to the coast of Mexico, which induced Rear-Admiral Thomas to order the *Carysfort* to Honolulu for the purpose of inquiring into the matter. She arrived on the 10th of February, 1843, before the sale of Charlton's property had taken place. Simpson immediately went on board to concert measures with Lord George, who, from his entire acquiescence in his plans, appears to have been wholly won over at this interview to sustain them. The authorities on shore suspected there was no friendly feeling from the withholding the usual salutes. Mr. Judd, on behalf of the Government, made an official call on board, but was informed he could not be received. Visits from the French and United States consuls were similarly declined. Capt. Paulet addressed the governor, informing him that he wished to confer with the King, who was then absent.

"The King arrived from Maui on the 16th, and on the next day received the following letter and demands from Lord George Paulet:

"'H. B. M.'s SHIP CARYSFORT,
"'*Oahu, 17th February, 1843.*

"'SIR: In answer to your letter of this day's date, which I have too good an opinion of Your Majesty to allow me to believe ever emanated from yourself, but from your ill-advisers, I have to state that I shall hold no communication whatever with Dr. G. P. Judd, who, it has been satisfactorily proved to me, has been the Punic mover in the unlawful proceedings of your Government against British subjects.

"'As you have refused me a personal interview I inclose you the demands which I consider it my duty to make upon your Government, with which I demand a compliance at or before 4 o'clock p. m. to-morrow, Saturday; otherwise I shall be obliged to take immediate coercive steps to obtain these measures for my countrymen.

"'I have the honor to be, your Majesty's most obedient, humble servant,

"'GEORGE PAULET,
"'*Captain.*

"'His Majesty KAMEHAMEHA III.

"'*Demands made by the Right Honorable Lord George Paulet, captain, royal navy, commanding H. B. M's. ship Carysfort, upon the King of the Sandwich Islands.*

"'First. The immediate removal, by public advertisement, written in the native and English languages, and signed by the governor of this island and F. W. Thompson, of the attachment placed upon Mr. Charlton's property; the restoration of the land taken by Government for its own use, and really appertaining to Mr. Charlton; and reparation or the heavy loss to which Mr. Charlton's representatives have been

exposed by the oppressive and unjust proceedings of the Sandwich Islands Government.

"'Second. The immediate acknowledgment of the right of Mr. Simpson to perform the functions delegated to him by Mr. Charlton, namely, those of Her Britannic Majesty's acting consul, until Her Majesty's pleasure be known upon the reasonableness of your objections to him. The acknowledgment of that right and the reparation for the insult offered to Her Majesty, through her acting representative, to be made by a public reception of his commission and the saluting the British flag with twenty-one guns, which number will be returned by Her Britannic Majesty's ship under my command.

"'Third. A guaranty that no British subject shall in future be subjected to imprisonment in fetters, unless he is accused of a crime which, by the laws of England, would be considered felony.

"'Fourth. The compliance with a written promise given by King Kamehameha to Capt. Jones, of Her Britannic Majesty's ship *Curocoa*, that a new and fair trial would be granted in a case brought by Henry Skinner, which promise has been evaded.

"'Fifth. The immediate adoption of firm steps to arrange the matters in dispute between British subjects and natives of the country, or others residing here, by referring these cases to juries, one-half of whom shall be British subjects, approved by the consul, and all of whom shall declare on oath their freedom from prejudgment upon or interest in the cases brought before them.

"'Sixth. A direct communication between His Majesty, Kamehameha, and Her Britannic Majesty's acting consul for the immediate settlement of all cases of grievances and complaint on the part of British subjects against the Sandwich Island Government.

"'Dated on board Her Britannic Majesty's ship *Carysfort*, at Oahu, this 17th day of February, 1843.

"'GEORGE PAULET,
"'*Captain.*'

"Capt. Long, of the U. S. S. *Boston*, then in port, was informed, by letter, at midnight, of the anticipated attack of the British commander. In the morning the *Carysfort* was cleared for action, springs put on her cables, and her battery brought to bear upon the town. The English families embarked for security on board a brig in the outer roads. The Americans and other foreigners, having but short notice, placed their funds and papers on board the *Boston* and other vessels, intending to retreat to them with their families in case of actual hostilities. The town was in a state of great excitement. The dispositions of the chiefs were uncertain, and it was feared that the rabble, taking advantage of the confusion, might pillage the place. Excited by the gross injustice of the demands, the first impulse of the King and his council, in which they were sustained by the indignant feeling of the entire foreign population excepting the few who sided with Simpson, were for energetic measures. Arms were procured and bodies of men began to assemble.

"The common natives, unconscious of the fatal effects of disciplined gunnery, ardently desired to fight the ship. Some supposed they might overpower her crew by numbers in boarding. But peaceful councils at last prevailed. It is in such emergencies that the real influence of the missionaries becomes apparent. The natural desire of chiefs and foreigners was to resist at all hazards; but the entire indoctrination of the mission, animated by the peaceful principles of the gospel, had been of that nature that depends more upon the sword of the

spirit than the arm of flesh. Desirous of avoiding the unhappy consequences of strife and bloodshed, and relying, through providence, on the justice of the nation's cause, and the magnanimity of the Queen of Great Britain, they counseled peace. Shortly before the hour of commencing hostilities had arrived, the King dispatched a letter to the *Carysport*, informing Lord George Paulet that he yielded to his demands, under protest, and had appointed Sir George Simpson and William Richards as his commissioners to the court of Great Britain to settle the pending difficulties.

"His Majesty appointed February 20 at 11 o'clock a. m., to receive Lord George and the vice-consul. On the same day that the King notified Lord of his acquiescence to his demands, in conjunction with the premier he protested against his acts in these words:

"'We, Kamehameha III, King of all the Sandwich Islands, and Kekauluohi, premier thereof, in accordance with the laws of nations and the rights of all aggrieved sovereigns and individuals, do hereby enter our solemn act of protest before God, the world, and before the Government of Her Most Gracious Majesty Victoria, Queen of the United Kingdoms of Great Britain and Ireland:

"'Against the Right Hon. Lord George Paulet, captain of Her British Majesty's ship *Carysfort*, now lying in the harbor of Honolulu, for all losses and damages which may accrue to us and to the citizens of other countries residing under our dominion and sovereignty, in consequence of the unjust demands made upon us this day by the said Right Hon. Lord George Paulet, enforced by a threat of coercive measures and an attack upon our town of Honolulu in case of noncompliance with the same within a period of nineteen hours, thereby interfering with our laws, endangering the good order of society, and requiring of us what no power has a right to exact of another with whom they are on terms of peace and amity.

"'And we do solemnly protest and declare that we, the sovereign authority of these islands, are injured, grieved, abused, and damaged by this act of the said Right Hon. Lord George Paulet, and we hereby enter our solemn appeal unto the Government of Her Most Gracious Majesty, represented by him, for redress, for justification, and for repayment of all said losses, damages, and payments which may in consequence accrue unto us, or unto the citizens of other countries living under our jurisdiction.'

"'On the 20th the King and premier visited the *Carysfoot* and were received with royal honors. This courtesy, however, was but a prelude to a further series of demands rendered necessary to accomplish Simpson's aim, by the unexpected compliance of the King with the first. These were brought forward at an interview on the following day. The total amount demanded in money was $117,330.89. The character of these claims, and the object of the parties, may be gathered from a brief notice of the first brought forward. This was in favor of a Mr. Skinner, a connection of Mr. Charlton's. Indemnification to the amount of $3,000 was demanded for him on the alleged ground of having lost the interest and profits on $10,000 unemployed for four months, which he had reserved to purchase the property of Mr. Charlton, if sold on execution. The arrival of the *Carysfoot* had stopped the sale, and he had lost the opportunity of thus employing his funds.' (pp. 161, 162, and 163.)

"'24th.—A meeting having been arranged for 10 o'clock a. m., the King requested me to visit Lord George and say to him that he could bear this course no longer; he would give up and let them do as they

pleased, etc. I accordingly met Lord George and Simpson in the street, coming to the meeting; said I had a message from the King, that he was sick. I went with them to the consular office, where I was left alone with Simpson. I said, the King feels himself oppressed, broken down, ruined, and, to use his own expression, a dead man; that he had been up all night and was sick; that he had determined to give up; that if he, Simpson, persisted in his present course ruin would follow; that the King could not undo by his own act the action of the courts and enforce these claims without time to modify the laws. I begged him to desist and give time to modify the laws and act with consistency. He would allow juries to be composed of half English in case their interests were concerned.

"'The Dominis case had been disposed of according to the King's written promise to Capt. Jones. Moreover, since that time, the parties had settled by amicable arbitration. That to require all the late decisions of the legally organized courts to be set aside by the act of the King would be illegal and oppressive on the part of Mr. Simpson, and decidedly oppressive on the part of the King, and would justly involve him both with Americans and French, etc. Simpson replied that the English had been treated harshly, and consequently the Government must suffer. His course could not be altered.

"'Went with Lord George and Simpson to the council; acted as spokesman. Reiterated the above, and added the King was determined to hold out no longer; do what you like, take the islands, but do not force him to acts of injustice; it would be cruel in the extreme, better take all. Lord George replied that his demands were not unjust; he acted on the best information and testimony. I said, I know that you think so but I assure you that such is not the opinion of the Government. The King remarked that he did not think that his Government had done wrong. I said, we must be heard; your information is incorrect; we appeal to Great Britain; take the islands, we will yet have justice. Lord George replied that he did not come to take the islands. I said, you had better do it than pursue these subjects further in this manner. He or Simpson said that they could only act on a request of the King, and it must be in writing. Said I, let all proceedings be stopped; let the Government have time to reflect, and I think they will come to the conclusion that it is better for you to take the Government of the islands than to go any further. But we must have time; you drive the King to distraction, and I fear that he will cede the islands to France, as he has been invited to do. Simpson said he would not allow much delay. Lord George said, two or three days and no more. Simpson said, to-morrow noon, and if it was not done, he should expect the Dominis case to be tried on Saturday. I observed that the time was too short; Monday then at the furthest. We went into certain explanations as to manner of doing the thing, and I wrote down in pencil the following:

"'In consequence of the difficulties in which the Sandwich Islands are involved, and the impossibility of complying with the demands made by Her Britannic Majesty's representative in the form in which they are presented, we cede [the Government of] our islands to Lord George Paulet, etc., for the time being, subject to any arrangements that may have been entered into with the Government of Great Britain, and until intelligence shall have been received, and in case no arrangement shall have been made previous to date, subject to the decision of Her Majesty's Government on conference with the ministers of the Sandwich Islands Government, after a full report of our affairs shall have

been represented to Great Britain; and in case the ministers are rejected by Her Britannic Majesty, then subject to any arrangements which may be entered into.

"'Simpson took the paper and walked in the veranda with Lord George, and, returning, said that would do; he would make a copy with very few verbal alterations.

"'It was arranged that the chiefs should have an opportunity to consider these things, and an answer to be given to-morrow noon. Lord George and Simpson left. King and Auhea sat with astonishment and misery. Discussed awhile in council, when I left them in order to take some refreshment. When I returned I found them anxious to gain further information. The subject of ceding to France and the United States was a ray of hope which seemed to gleam across their dark path, but they foresaw that under such circumstances they would still have this fury—Simpson—to deal with until the French took possession, and he would doubtless involve them in more trouble, and their cause become too bad to admit of justification. France is still acting a hostile part towards them. Charlton and Simpson are their enemies, but England is their friend.

"'To England they look up with the most filial affections. France is picking a quarrel with them now, and complaints are now in existence which will make more trouble. If the claims of Simpson are allowed the laws will suffer and the nation be weakened so much that France will leave them nothing. England can defend them from France, and to cede to France would be to say England had no right here, which is to the Government more than doubtful, reckoning right as the nations do. This might be considered an act of treachery.

"'May be that their independence is secured already. If so, a forcible possession on the part of either would annul it. A cession would not if made with provisos.

"In the evening I went for Lord George, who, together with Simpson and Dr. Rooke, came. Regulated a few points respecting the course he should pursue in case he took possession. Informed them that we should take every possible step to justify the Government and get back the islands, and he demanded a pledge that such exertions be not considered an act of hostility to them.

"'It was agreed that a decision should be made by 12 o'clock on the 25th. Lord George went away. Every possible view of the case was taken up by the council, and the result seemed to be to give up the islands on the terms proposed.

"'25th. The King sent for me before breakfast. Wished to know what I thought of the old proposition of ceding to France and the United States. I said I feared it would involve the Government in great trouble. The French admiral would soon be here and take possession, which would excite hostility between Catholics and Protestants; meanwhile Simpson would continue his course of conduct, and the difficulties would become inextricable. Give yourself into the arms of Great Britain, trust to the generosity of that great and good nation, you may have the benefit of the intervention of France for the adjustment of difficulties and the security of your independence. Let them take possession, and then you can represent your case in full. Lord George called. I informed him that the matter was nearly decided. One of the propositions that came from me was waived, viz, that a commission be appointed to adjust the claims of British subjects.

"'Dudoit called and many others. Every argument used to induce the King to cede to France and the United States. Sat down to put

the documents into form. The King proposed to make a speech. I said they could make that out among themselves, which they did. Deed of cession being ready, the chiefs came in and it was read. Sorrow and distress marked every countenance. I was asked to pray. During prayer sighs suppressed were often heard. I committed the case to God, imploring His blessing on the step about to be taken as the only peaceful alternative for the nation, etc. When I rose not an individual left his knees for a full minute, and then I saw that tears had come to their relief. They sat in silence for a moment when the King arose, and with a firm step seized a pen and subscribed his name. "Let it go," said he, "if I get help I get it, if not, let it go; I can do no more." The premier then added her signature.' (Extract from a journal kept by Mr. Judd, who was minister of the King to conduct negotiations with Lord George Paulet, pp. 164, 165, and 166.)

"Having decided upon a provisional cession of his dominions to Great Britain, the King announced the event to his subjects in a touching proclamation:

"'Where are you, chiefs, people, and commons from my ancestors, and people from foreign lands?

"'Hear ye! I make known to you that I am in perplexity by reason of difficulties into which I have been brought without cause; therefore, I have given away the life of our land, hear ye! But my rule over you, my people, and your privileges, will continue, for I have hope that the life of the land will be restored when my conduct is justified.

"'Done at Honolulu, Oahu, this 25th day of February, 1843.

"KAMEHAMEHA III.
"KEKAULUOKI.'

"On the 28th of November, the Hawaiian commissioners obtained from the governments of France and England a joint declaration to the effect that—

"'Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the French, taking into consideration the existence in the Sandwich Islands of a government capable of providing for the regularity of its relations with foreign nations, have thought it right to engage reciprocally to consider the Sandwich Islands as an independent state, and never to take possession, neither directly nor under the title of protectorate, nor under any other form, of any part of the territory of which they are composed.

"'The undersigned, Her Majesty's principal secretary of state for foreign affairs, and the ambassador extraordinary of His Majesty the King of the French at the court of London, being furnished with the necessary powers, hereby declare in consequence that their said majesties take reciprocally that engagement.

"'In witness whereof the undersigned have signed the present declaration, and have affixed thereto the seal of their arms.

"'Done in duplicate, at London, the 28th day of November, in the year of our Lord 1843.

"'ABERDEEN. [L. S.]
"'ST. AULAIRE. [L. S.]'

"This solemn engagement on the part of these two powers was the final act by which the Kingdom of Hawaii was admitted within the pale of civilized nations."

"No measure tends more to consolidate and render a nation prosper-

ous and respectable than a sound and judicious code of laws. The chiefs were early aware of their deficiency, and as soon as their new legislative forms came into operation proposed to execute the task; under any circumstances a difficult one; but in those of their Kingdom doubly so from the mixed population, foreign and native, that they were called to govern. The first volume of statute laws was issued in 1846.

"The departments are subdivided into numerous bureaus, comprising the duties enumerated under their several heads. By this system the business of government and its machinery have become methodized on a simple and not expensive scale, for although the subdivisions are numerous, yet one clerk suffices for many. The judiciary act and the criminal code, on the new basis, are not yet completed. As in every other step forward which the Hawaiian nation has taken, unwarrantable abuse and unreasonable cavil have been showered upon it for this, chiefly upon the specious pretense that the system was too cumbersome and altogether beyond its growth. An impartial examination will doubtless detect points which can be amended with benefit; this is to be expected, and the intention of the Legislature is rather experimentative than final, to feel their way as it were to a code simple and effective. But to do this experience must be acquired in legislation and the practical operation of laws. In the transition of the nation, with its rapid growth from foreign sources, it has been found that there has been felt a want rather than an overplus of system. The machinery of government, being of a liberal and constitutional character, provides in itself for checks on excess and remedies for evils. If 'let alone' by foreign powers, there is ground for the belief that Hawaiian legislation will in no whit in character be behind that of numerous new countries, offshoots of the old, now budding into existence on the shores of the Pacific.

"The executive government was constructed as follows:

"'His Majesty King Kamehameha III.

"'*Cabinet council created October 29, 1845.*—His highness, Keoni Ana,* premier and minister of the interior; R. C. Wyllie, minister foreign affairs; G. P. Judd, minister of finance; William Richards, minister of instruction; John Ricord, attorney-general.

"'*Nobles.*—M. Kehauonohi; A. Keliiahonui, chamberlain; Keoni Ana, premier; Alapai; A. Paki, judge of supreme court; Konia; I. Kaeo, judge of supreme court; Iona, judge of supreme court; Paulo Kanoa; Namauu; M. Kekuanaoa, governor of Oahu; W. P. Leleiohoku, governor of Hawaii; Ruta; Keohokalole; C. Kanaina, judge of supreme court; Ioane Ii, guardian of young chiefs; Iona Piikoi; Beniki Namakeha; K. Kapaakea; James Young Kanehoa, † governor of Maui.'

"The governers are honorary members of the privy council.

"Besides the 4 cabinet officers of foreign birth, there are 5 Americans and 4 Englishmen, naturalized subjects, commissioned as judges in foreign cases, collectors, director of Government press, heads of bureaus, etc. In addition to these are a number of clerks transiently employed, and officers connected with the several departments, who depend upon fees for their recompense.

"In no one respect have the Government shown more laudable zeal than in educating the young chiefs, who, by birth, are destined to fill important posts. For the purpose of bestowing upon them a solid and

* Son of Mr. Young, Kamehameha's favorite.

† Son of Kamehameha's favorite, Mr. Young, of the *Elenora*, who landed in 1790 and died in 1835 at the advanced age of 93 years, highly respected by all classes.

practical education in the English language, embracing not only the usual studies pursued in the better class of seminaries in the United States, but to engraft in their minds the habits, thoughts, moral and domestic education which children of their age and circumstances receive in civilized countries, in 1839 they were taken from their native parents and out of the sphere of mere Hawaiian influences and incorporated into a boarding school, under the charge of Mr. and Mrs. Cooke, teachers of the American mission. During the seven years the school has been established their progress has been rapid, and they are now versed in the common branches of an English education, besides being practically acquainted with the tastes, household economy, and habits of refined domestic life. The annual expense of the school is now about $5,000. The number of scholars 15.

"'Moses Kaikioewa, son of Kekuanaoa and Kinau, born July 20, 1829, expectant governor of Kauai.

"'Lota Kamehameha, son of Kekuanaoa and Kinau, born December 11, 1830; expectant governor of Maui.

"'Alexander Liholiho, son of Kehuanaoa and Kinau, born February 9, 1834, heir apparant, by adoption, of the King.

"'Victoria Kamamalu, daughter of Kehuanaoa and Kinau, born November 1, 1838, premier by birth.

"'William C. Lunalilo, son of Kanaina and Kehauluohi, born January 1, 1835.

"'Bernice Pauahi, daughter of Paki and Konia, born December 19, 1831.

"'Jane Loeau, daughter of Kalaniulumokee and Liliha, born 1828.

"'Elizabeth Kekaniau, daughter of Laanui, born September 11, 1834.

"'Emma Rooke, daughter of Fanny Young,* born January 2, 1836.

"'Peter Young Kaeo, son of Kaeo and Lahilahi,* born March 4, 1836.

"'James Kaliokalani, son of Paakea and Keohokalole, born May 29, 1835.

"'David Kalakaua, son of Paakea and Keohokalole, born November 16, 1836.

"'Lydia Makaeha, daughter of Paakea and Keohokalole, born September 2, 1838.

"'Mary Paaaina.

"'Kinau Pitt, son of W. Pitt Kalaimokee.'

"The rapid progress of the Hawaiian group in commercial importance is best illustrated by their commercial statistics both before the organization of their present Government and since, when under improved auspices their value has more rapidly developed. The facilities which they afforded the American vessels engaged in the lucrative Northwest fur trade, to which was soon added the equally profitable one of sandal wood, gave them such good repute that previous to 1820 the hardy whale fishers resorted to them for recruits and men. As early as 1823, from 40 to 60 whale ships, mostly American, were to be seen in the harbor of Honolulu at one time.

"From January, 1836, to December 31, 1841, 358 vessels belonging to the United States, of which four-fifths were whalers, touched at Honolulu; an average of 71⅔ annually, besides 17 men-of-war. Of English vessels during the same period there were 82 and 9 men-of-war. Those of France and other nations numbered not over 20. The average annual imports for those years were to the value of $365,854, one-half of which were American goods, one-quarter Chinese and Cali-

* Daughters of John Young.

fornian, and the remainder from England, Mexico, Chile, and other sources.

"Four newspapers in the Hawaiian tongue have been sustained by the missionaries. The first, Lama Hawaii, was commenced in 1833. The present Ka Elele, besides much religious matter, gives a summary of general news, publishes Government notices, and affords scope for the literary efforts of the natives themselves, some of whom manifest respectable powers of thought and composition.

"It is computed that 70,000 of the population have learned to read and 65,444,000 printed pages have been issued from the mission press, embracing, among other works, two complete editions, of 10,000 each, of the Holy Scriptures, three of the New Testament, amounting to 30,000 copies, Worcesters Sacred Geography, Universal Geography, Geographical Questions, Scripture Chronology and History, Animals of the Earth, with a chart, History of Beasts, Hawaiian History, Church History, Mathematics, embracing Geometry, Trigonometry, Mensuration, Surveying and Navigation, Colburn's Algebra, Anatomy, Wayland's Moral Philosophy, Colburn's Intellectual Arithmetic, Tract on Astronomy, Maps of Universal Geography, and Bunyan's Pilgrim's Progress.

"The works published have been altogether of a devotional or educational class. More interest would have been awakened could some others of a less grave and more historic character have been included."

"A moral sentiment, founded more upon a classification of certain actions, either as evil or as good, and their attendant punishments or rewards than upon any definite ideas of sin and virtue considered in their relations to moral purity and the love of the Father, pervades the nation. With the more enlightened something superior to this prevails. Consequently, as in older Christianized communities, a man enjoys respect in proportion to his moral qualifications. Vice is condemned and virtue applauded. Many, of course, are to be found more fond of a good name than of the means necessary for its attainment. Publicly they are one being, privately another.

"The very fact of the necessity of the deception shows a great advancement in moral sentiment since the days of Liholiho, and instead of being considered a reproach to the missionaries should be hailed as a favorable symptom of their labors, the dawn of further improvement. In humanity, care for the sick and aged, their domestic relations, honesty, temperance, and systematic industry there has been great advancement. From a warlike, treacherous, and cruel people they have become mild, tractable, and desirous of knowledge. The intelligent observer will find much in their present character to gratify him and more to surprise when he contrasts them with what they were but a score of years since. But he who goes among them, his imagination picturing a nation changed from brutal savages, by the spirit of God, to guileless Christians, worshiping Jehovah in all the innocence and strength of a first love, their family altars emblems of purity and happiness, their congregations simple and sincere, and their dispositions and deportment refined to the high standard of Christian excellence in his own country, will be sadly disappointed.

"It is still difficult to make the natives understand the nature of truth. They have been so accustomed, from their earliest years, to habits of deception, that with very many, perhaps the majority, it may be doubted whether any other sensation arises from the detection of a falsehood than mortification at being discovered. In no other point

are they more obtuse, but this moral bluntness is gradually wearing away. Licentiousness is a chief vice of the nation; not that they are much worse in this respect than nations generally residing within the tropics, but it continues to be their most prominent trait. A few years ago, in its protean forms, it was common to all, and as undisguised as the light of day. Now it hides its head, and seeks a new garment to conceal its foul markings. The following table of crime for Oahu will serve to show the proportion of other offenses to those of sensuality. It is taken from the Kuma Hawaii, of January 16, 1839, a native paper, but the period embraced in the report is not given. And it should be recollected that but a small proportion of the latter offenses are ever detected or exposed. A number of foreigners are embraced in the list, chiefly for riot, mutiny, and desertion.

Offenses.	
Manslaughter	4
Theft	48
Riot	32
False witness	48
Desertion	30
Mutiny	15
Seduction	18
Lewdness	81
Adultery	246
Total	522

"Another table of purely native cases for Honolulu, taken from the records of the 'inferior court' from January 1, 1846, to December 4, of the same year, gives the following striking result:

Offense.	Men.	Women.	Total.
Adultery, fornication	126	127	253
Theft	43	3	46
Gambling	35	3	38
Desecration of Sabbath	20	8	38
Reviling language	12	2	14
Heathenish practices	3	1	4
Assault and battery	7	1	8
Drunkenness	6	.....	6
Furious riding	6	.....	6
Rape	2	.....	2
Interference with police	3	.....	3
Street walking	.....	4	4
Slander	1	.....	1
Passing false coin	1	.....	1
Desertion of husband	.....	3	3
Total	275	152	427

"The above table shows a conviction of 427 cases out of a population of about 9,000. To these should be added 121 others, tried before the police court, making in all rather more than 600 cases for 1846. Of the 121, 38 were for licentiousness and 43 for stealing. But few occur for fighting, the Hawaiians being a very peaceable people. A great deal of petty thieving exists, particularly towards foreigners, to steal from whom is not viewed so disreputable as from themselves. The standard of morality, it will be seen, is low, particularly among the men; but

crimes are rare. There have been but five executions for three murders for ten years.

"It is incontrovertible that there yet exists in the nation a large body of people who are equally disposed to religious rites, or to acts of a different character, as may be most accordant to the taste of those whom they wish to gratify. Another generation must arise, with better homes and more civil and religious advantages, before the habits of the old are sufficiently eradicated. While evidence for the more favorable view of missionary labor, to a partial investigator, appears conclusive, ample grounds for the opposite opinion exists. The truth lies in neither extreme. The friends of humanity have just cause to be grateful that so much has been accomplished, and should labor earnestly that the remaining dark spots may be wholly effaced."

"The government of the Kingdom is essentially Christian. Founded upon missionary teaching, it derives its principles and objects from gospel ethics. Under its influence, the despotism of the chiefs over life and property has been abolished and the nation invited to lay hold of its rights in both. Laws favorable to virtue, industry, and increase of population have been enacted. Families having 3 children of their own are freed from taxation; those having more are rewarded by gifts of lands. The natives are encouraged to secure allodial titles by a remission of all taxes on such for twenty years. Taxation is lightened and made stimulative to honest industry. The present laws are equitable and protective. Justice is fairly administered and the soundest principles of classical and modern law have become the professed guides of the courts.

"Commerce has brought among the nation many foreigners, in every way an advantage to the morals and enterprise of the natives. Scattered throughout the group they provide them, almost at the very doors of their huts, with ample supplies of foreign goods of all descriptions at fair prices, receiving in return the avails of native labor. They have furnished them with cattle and the vegetable products of other countries, and introduced the arts, trades, and professions of civilized life. The examples and encouragements of civilized households are thus brought to their very thresholds. They have given a value to the time of the native by creating a demand for his labor, and have equally bestowed a value to his hitherto unproductive lands by practically developing the hidden wealth of the soil.

"The most indifferent industry is sure of ample reward. Vice, as in other lands, has no apology for an existence here on the plea of a superabundance of labor in the honest branches of livelihood. Not a man need be a thief from necessity, nor a woman unchaste from want. Lands everywhere lie groaning in wild luxuriance, crying out for hands to till them. The handicraft of women, and even the services of children are in constant demand. Commerce has raised the remuneration of the former and the wages of the laborers to the highest rate of stimulative reward.

"The policy of the Government is essentially protective to the Hawaiian race, to the intent to fully solve the question of their capability of civilization. The white advisers of the King, having this end practically in view, fail to meet the more enlarged views and desires of white residents, who look upon the final extermination or loss of the native race and dynasty as their destiny, and consequently desire to see the fullest encouragement offered for the ingress and permanent settlement of a foreign population and capital. While

these would urge the Government on with a rapidity commensurate with Anglo-Saxon spirit and intelligence, the native race by their slowness of apprehension and fears for their security in case the full torrent of civilized emigration and enterprise is let in unrestrained upon them, hold them back. On the one hand the Government is as unable fully to satisfy the cravings of the whites to advance, as it is to bring the native mind to a clear appreciation and faithful carrying out of the measures best adapted to benefit it and render it more capable of assimilating with the superior intelligence of Anglo-Saxon intellect. They steadily endeavor to preserve the Hawaiian race; to christianize and civilize them; and to this end they invite a limited cooperation of foreign aid, enough to innoculate the nation with courage and enterprise, without deluging it in a torrent which in their present condition they would inevitably fail to bear up against. In this way a just middle course is adopted, which it would seem from past experience tends to build up a mixed Hawaiian and foreign race, civilized, moral, and industrious, and capable of taking an elevated position in the ranks of minor nations."

XVII. ALSO THE FOLLOWING EXTRACTS FROM THE HONOLULU DIRECTORY AND HISTORICAL SKETCH OF THE HAWAIIAN OR SANDWICH ISLANDS, BY C. C. BENNETT, INCLUDING A CHRONOLOGICAL TABLE OF NOTABLE EVENTS CONNECTED WITH HAWAIIAN HISTORY.

"1736. Kamehameha I born at Kokoiki, Kohala.

"1740. The King of Oahu, on the passage to Molokai, sees a ship.

"1768. Kaahumanu born.

"1775. Kaahumanu becomes the wife of Kamehameha I.

"1779. January 17 Capt. Cook anchored in the bay of Kealakekua, Hawaii.

"February 14 Capt. Cook was slain at Kaawaloa, Hawaii.

"1782. April, Kalaniopuu died, leaving his Kingdom (western Hawaii), to Kiwalao, who was his own son.

"July, the battle named Mokuahae, i. e., the fight of Kamehameha with Kiwalao and his party at Keomo, Hawaii, Kamehameha triumphed, Kiwalao was slain, and Keoua became King of Kau and Puna.

"Keawemauhili reigns as King at Hilo, Hawaii.

"Keaulumoku composed the mele Haui Ka Lani, or a prophecy of the overthrow of Hawaii by Kamehameha.

"1790 first American ship (*Eleanor*, Capt. Metcalf), visited the islands.

"Keona was taken prisoner by Kamehameha at Koapapaa, Hamakua, Hawaii, and Kamehameha thus became sole King of the whole island.

"John Young and Isaac Davis became attached to Kamehameha.

"1791. In this year the battle of Nuuanu was fought, in which Kalanikupule, son of Kahekili, King of Maui and Oahu, was slain, and thus Maui, Molokai, Lanai, and Oahu fell into the hands of Kamehameha.

"1792. March 3, Capt. Vancouver first visited the islands, and left cattle, sheep, etc.

"The *Dœdalus*, store ship, visited Waimea, Oahu; a massacre.

"1793. March 12, *Vancouver* anchored at Lahaina.

"1794. December, first discovery of Honolulu Harbor. Entered by *Jackal* and *Prince Leboo*, American.

"Kekuanaoa born.

"1795. January 12, last visit of Vancouver.

"*Dœdalus* visits Niihau; massacre. January 1, murder of captains.

"1797. Liholiho (Kamehameha II) was born.

"1801. The fleet of canoes called Peleleu arrived at Kawaihae.
"1802. The Peleleu arrived at Lahaina.
"1803. The Peleleu arrived at Oahu.
"1804. The great pestilence called *a ahulau okuu.*
"1812. The stone wall of Kiholo was built.
"1814. March, Kauikeaouli (Kamehameha III) was born.
"1817. The fort at Honolulu finished.
"1819. May 8, Kamehameha I died.
"October, Liholiho breaks kapu on the night of kukahi.
"1820. January, a battle on account of breaking kapu, at Kuamoo on Hawaii.
"March 30, first missionaries arrived at Kailua.
"April 18, missionaries first arrived at Honolulu.
"July, Messrs. Whitney and Ruggles sailed for Kauai."
"First whaler (*Mary*, Capt. Allen) enters Honolulu Harbor.
"1821. First house of Christian worship built in Honolulu.
"1822. January 7, printing first commenced at the islands. It is said that King Liholiho was allowed to pull the first sheet.
"1823. April 27, the second company of missionaries arrived.
"November 27, Liholiho, his Queen, and attendants sailed for England, leaving the Kingdom in the care of Kaahumanu.
"1824, July 8, Kamamalu, wife of Libolibo, died in London.
"July 13, Libolibo died in London.
"August, Kapiolani descended into the volcano of Kilauea.
"1825, May 4, Boki and his companions return from England with the remains of the King and Queen in the English frigate *Blonde.*
"1827, October, Kinau and Kekuanaoa were married.
"1828, March 30, the third company of missionaries arrived.
"July 3, first meetinghouse at Honolulu dedicated.
"December 2, Boki and his company sailed away from the islands and were lost.
"1830, December 11, His Majesty Kamehameha V was born.
"1831, June 7, the fourth company of missionaries arrived.
"September, the high school at Lahaina was commenced.
"1832, May 17, the fifth company of missionaries arrived.
"June 5, Kaahumanu died.
"June, Kinau was appointed premier (kuhina nui).
"The Oahu Charity School was commenced.
"1833, March, Kamehameha III assumes the reins of government, and Kinau becomes his minister (Kuhina Nui).
"May 1, the sixth company of missionaries arrived.
"The Bethel Church built at Honolulu.
"1834, February 9, Kamehameha IV (Alexander Liholiha) was born.
"February 14, first newspaper printed at the Hawaiian Islands, called the Lama Hawaii, at Lahainaluna.
"The newspaper Kumu Hawaii commenced at Honolulu.
"1835, June 6, the seventh company of missionaries arrived.
"First Hawaiian Almanac printed.
"1836, January 2, the queen dowager, Emma, was born.
"The female seminary at Wailuku, Maui, commenced.
"The first weekly newspaper in English commenced.
"The high school of Mr. Lyman commenced at Hilo.
"December, Nahienaena died.
"1837, February 4, Kamehameha III and Kalama were married.
"April 9, the eighth company of missionaries arrived.

"The business of laying out public streets in Honolulu was commenced.

"November 7, remarkable rise and overflow of tide throughout the islands.

"1838, August, the chiefs commence the study of political economy with Mr. Richards.

"November 1, Victoria Kamamalu was born.

"April 4, Kinau died.

"1839. April 5, Kekauluohi became premier (Kuhina Nui.)

"May 10, the printing of the first edition of the Hawaiian bible finished.

"July 9, the French man-of-war *l'Artemise* (Capt. Laplace) arrived.

"Kaikioewa died.

"1840. The school for the young chiefs commenced at Honolulu—Mr. and Mrs. Cook teachers.

"January, Hoapili, governor of Naui, died.

"The stone meeting-house at Kawaiahao, Honolulu, commenced.

"August 3, Mr. Bingham and family returned to the United States.

"October 8, Kamehameha III gives the first written constitution to the people of the Hawaiian Islands.

"October 20, Kamanawa and his servant were publicly executed for crime.

"September. The United States exploring expedition arrived.

"1841, May. Kapiolani died.

"May 21. The ninth company of missionaries arrived.

"The school for missionaries' children at Punahou (now Oahu College) commenced.

"1842. January, Hoapili Wahine (Kalakaua) died.

"July 8, Haalilio sailed as commissioner to the courts of France, England, and the United States.

"July 21, the meetinghouse at Kawaihal finished.

"September 21, the tenth company of missionaries arrived.

"1843. The United States consent to the independence of the Hawaiian Islands.

"February 25, Lord George Paulet seized the Hawaiian Islands and raised the English flag.

"July 31, the sovereignty of the islands was restored by Admiral Thomas, of the English navy.

"September, Bartimeus Puaaiki died.

"1844. The Government of Belgium consents to the independence of the Hawaiian Islands.

"November 28, the governments of England and France recognize the independence of the Hawaiian Islands.

"July 15, the eleventh company of missionaries arrived.

"Silk exported from the islands—197 pounds.

"Haalilio died on his return voyage to the islands.

"1845. April 2, representatives first chosen from the common people under the constitution of October, 1840.

"Mr. Richards, the interpreter of Haalilio, returned with his remains.

"Kekauluohi died.

"First export of coffee—248 pounds.

"John Young (Keoni Ana) is appointed premier (kuhina nui).

"1846. February 11, commissioners appointed to settle land claims.

"March 20, Mr. Whitney died at Lahainaluna.

"1847. Mr. Richards died.

"Governor Kuakini died.
"First appearance of Mormons at Honolulu, en route for California.
"1848. Leleiohoku (William Pitt) died.
"Moses Kaikoewa died.
"Kaiminaauao died.
"The twelfth company of missionaries arrived.
"The measles (mai puupuu ula) prevailed, and was very fatal.
"1849. The fort seized at Honolulu by Admiral Tromelin, of the French navy.
"Beef first exported from the islands—158 barrels.
"Kelüahonui died.
"1850. James Young Kanehoa died. Kaoanaeha died.
"1851. The Hawaiian Missionary Society was formed.
"Kekauonohi died.
"June, the court-house at Honolulu built.
"First whale oil and bone transshipped.
"1852. April 2, Kaliokalani died.
"First export of fungus.
"1853. The smallpox (mai puupuu liilii) swept over the islands.
"1854. The fort at Lahaina demolished by order of the Government.
"December 15, Kamehameha III (Kauikeaouli) died, and Kamehameha IV became King.
"1855. Paki died.
"Mr. Hitchcock, of Molokai, died.
"Flour exported—463 barrels.
"1856. June 2, Kamehameha IV was united in marriage with Emma Rooke.
"Isaac Davis was married to Ruta Keelikolani.
"1857, the fort at Honolulu was demolished by order of the Government.
"Konia (widow of Paki) died.
"John Young (Keoni Ana), the premier, died.
"Victoria Kamamalu appointed Kuhina Nui.
"May 28, William L. Lee, chief justice of the supreme court, died, aged, 36.
"David Malo, native Hawaiian historian, died.
"Honeybees first introduced, by the R. H. Agricultural Society.
"Oahu prison built.
"1858, May 20, birth of the Prince of Hawaii.
"Rice first systematically cultivated near Honolulu.
"Sailors' Home established.
"1859, July, Rev. L. Smith's premises burnt.
"April 20, Jona Pükoi died, aged 50.
"April 26, laying of corner stone, Odd Fellows' Hall.
"January 7, dedication of Odd Fellows' Hall.
"February, eruption of volcano on Mauna Loa, running down to Wainanalü.
"The civil code published.
"Gaslight first introduced into Honolulu.
"September 9, William Pitt Kinau, son of Leleiohoku and R. Keelikolani, died at Kohala, Hawaii, aged 17.
"1860, May 5, arrival of Japanese embassy en route to the United States.
"New custom-house built, Honolulu.
"Queen's hospital built.
"Honolulu flour mill and foundry burned.

"Steamer *Kilauea* arrived.
"Prince L. Kamehameha (Kamehameha V) sailed for California.
"September 23, Rev. Dr. R. Armstrong, minister of public instruction, died.
"Passage of the 'law to mitigate,' etc.
"1862. April, Palmyra Island, in latitude 5° 50′ N., longitude 161° 53′ W., taken possession of by Capt. Z. Bent, for Kamehameha IV and his successors, and subsequently declared by royal proclamation to be a part of the Hawaiian domain.
"August 27, death of the Prince of Hawaii, aged 4 years, 3 months and 7 days.
"The funeral took place September 7.
"Lahainaluna Seminary burned and was rebuilt the same year.
"October 11, Reformed Catholic Church mission arrived.
"1863. November 30, His Majesty Kamehameha IV died, aged 29 years, 9 months, and 21 days, and Prince Kamehameha ascended the throne as Kamehameha V.
"1864. May 5, convention of delegates to amend the constitution called by the King.
"July 7, convention opened.
"August 13, convention dissolved and constitution abrogated.
"August 20, new constitution granted by the King.
"L. Haalelea died.
"1865. October 19, R. C. Wyllie, minister of foreign relations, died, aged 67.
"Queen Emma visited the United States and Europe.
"January 27, arrival of the steamer *Ajax* from California.
"1865. May 29, H. R. H. Princess V. Kamamalu died, aged 27 years 6 months and 29 days.
"July 20, J. Dudoit, formerly French consul, murdered.
"October 22, return of Queen Emma.
"1867. March 12, G. M. Robertson, first associate justice of the supreme court, died, aged 47.
"1868. November 4, His Highness Mataio Kekuanaoa, father of the late King and his present Majesty, died, aged 75 years.
"1869. July 21, arrival of H. R. H. Alfred Ernest, Duke of Edinburg, in command of H. B. M.'s ship *Galatea*.
"August 2, light-house at the entrance of Honolulu Harbor permanently lighted.

XVIII. Deed of cession.

"The deed of cession reads as follows:

"'In consequence of the difficulties of complying with the demands in the manner in which they are made by Her Britannic Majesty's representative upon us, in reference to the claims of British subjects, we do hereby cede the group of islands known as the Hawaiian (or Sandwich) Islands unto the Right Honorable Lord George Paulet, captain of Her Britannic Majesty's ship of war *Carysfort*, representing Her Majesty Victoria, Queen of Great Britain and Ireland, from this date and the time being; the said cession being made with the reservation that it is subject to any arrangement that may have been entered into by the representatives appointed by us to treat with the Government of Her Britannic Majesty; and in the event that no agreement has been

executed previous to the date hereof, subject to the decision of Her Britannic Majesty's Government, on conference with the said representatives appointed by us; or, in the event of our representatives not being accessible or not having been acknowledged, subject to the decision which Her Britannic Majesty may pronounce on the receipt of full information from us and from the Right Honorable Lord George Paulet.

"'In confirmation of the above we hereby affix our names and seals this twenty-fifth day of February, in the year of our Lord one thousand eight hundred and forty-three, at Honolulu, Oahu, Sandwich Islands.

"'Signed in the presence of G. P. Judd, recorder and translator for the Government.

"'KAMEHAMEHA III.
"'KEKAULUOHI.

XIX. ARTICLE 78, CONSTITUTION OF 1852.

"'Every male subject of His Majesty, whether native or naturalized, and every denizen of the Kingdom, who shall have paid his taxes, who shall have attained the age of 20 years, and who shall have resided in the Kingdom for one year immediately preceding the time of election, shall be entitled to one vote for the representative or representatives of the district in which he may have resided three months next preceding the day of election; provided, that no insane person, nor any person who shall at any time have been convicted of any infamous crime within this Kingdom, unless he shall have been pardoned by the King, and by the terms of such pardon been restored to all the rights of a subject, shall be allowed to vote.'

CONSTITUTION OF 1864.

"'*Constitution granted by His Majesty Kamehameha V, by the grace of God, king of the Hawaiian Islands, on the twentieth day of August, A. D. 1864.*

"'ARTICLE 1. God hath endowed all men with certain inalienable rights; among which are life, liberty, and right of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.

"'ARTICLE 2. All men are free to worship God according to the dictates of their own conscience; but this sacred privilege hereby secured shall not be so construed as to justify acts of licentiousness or practices inconsistent with the peace or safety of the Kingdom.

"'ARTICLE 3. All men may freely speak, write, and publish their sentiments on all subjects, being responsible for the abuse of that right, and no law shall be enacted to restrain the liberty of speech, or of the press, except such laws as may be necessary for the protection of His Majesty the King and the royal family.

"'ARTICLE 4. All men shall have the right, in an orderly and peaceable manner, to assemble, without arms, to consult upon the common good and to petition the King or Legislative Assembly for redress of grievances.

"'ARTICLE 5. The privilege of the writ of habeas corpus belongs to all men, and shall not be suspended, unless by the King, when in cases of rebellion or invasion the public safety shall require its suspension.

"'ARTICLE 6. No person shall be subject to punishment for any

offense, except on due and legal conviction thereof in a court having jurisdiction of the case.

"'ARTICLE 7. No person shall be held to answer for any crime or offence (except in cases of impeachment, or for offences within the jurisdiction of a police or district justice, or in summary proceedings for contempt) unless upon indictment, fully and plainly describing such crime or offence, and he shall have the right to meet the witnesses who are produced against him face to face; to produce witnesses and proofs in his own favor; and by himself or his counsel, at his election, to examine the witnesses produced by himself, and cross-examine those produced against him, and to be fully heard in his defence. In all cases in which the right of trial by jury has been heretofore used it shall be held inviolable forever, except in actions of debt or assumpsit in which the amount claimed is less than fifty dollars.

"'ARTICLE 8. No person shall be required to answer again for an offence of which he has been duly convicted or of which he has been duly acquitted upon a good and sufficient indictment.

"'ARTICLE 9. No person shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property without due process of law.

"'ARTICLE 10. No person shall sit as a judge or juror in any case in which his relative is interested, either as plaintiff or defendant, or in the issue of which the said judge or juror may have, either directly or through a relative, any pecuniary interest.

"'ARTICLE 11. Involuntary servitude, except for crime, is forever prohibited in this Kingdom; whenever a slave shall enter Hawaiian territory he shall be free.

"'ARTICLE 12. Every person has the right to be secure from all unreasonable searches and seizures of his person, his house, his papers, and effects; and no warrants shall issue, but on probable cause supported by oath or affirmation and describing the place to be searched and the persons or things to be seized.

"'ARTICLE 13. The King conducts his Government for the common good, and not for the profit, honor, or private interest of any one man, family, or class of men among his subjects.

"'ARTICLE 14. Each member of society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to law; and, therefore, he shall be obliged to contribute his proportional share to the expense of this protection, and to give his personal services or an equivalent when necessary; but no part of the property of any individual shall be taken from him, or applied to public uses, without his own consent or the enactment of the Legislative Assembly, except the same shall be necessary for the military operation of the Kingdom in time of war or insurrection; and whenever the public exigencies may require that the property of any individual should be appropriated to public use he shall receive a reasonable compensation therefor.

"'ARTICLE 15. No subsidy, duty, or tax of any description shall be established or levied without the consent of the legislative assembly; nor shall any money be drawn from the public treasury without such consent, except when between the sessions of the legislative assembly the emergencies of war, invasion, rebellion, pestilence, or other public disaster shall arise, and then not without the concurrence of all the cabinet and a majority of the whole privy council; and the minister of finance shall render a detailed account of such expenditure to the legislative assembly.

"'ARTICLE 16. No retrospective laws shall ever be enacted.

"'ARTICLE 17. The military shall always be subject to the laws of the land; and no soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war but in a manner to be prescribed by the Legislature.

"'ARTICLE 18. Every elector shall be privileged from arrest on election days, during his attendance at election, and in going to and returning therefrom, except in cases of treason, felony, or breach of the peace.

"'ARTICLE 19. No elector shall be obliged to perform military duty on the day of election as to prevent his voting, except in time of war or public danger.

"'ARTICLE 20. The supreme power of the Kingdom in its exercise is divided into the executive, legislative, and judicial; these shall always be preserved distinct, and no judge of a court of record shall ever be a member of the legislative assembly.

"'ARTICLE 21. The Government of this Kingdom is that of a constitutional monarchy, under His Majesty Kamehameha V, his heirs and successors.

"'ARTICLE 22. The crown is hereby permanently confirmed to His Majesty Kamehameha V, and to the heirs of his body lawfully begotten, and to their lawful descendants in a direct line; failing whom, the crown shall descend to Her Royal Highness the Princess Victoria Kamamalu Kaahumanu, and the heirs of her body lawfully begotten, and their lawful descendants in a direct line. The succession shall be to the senior male child, and to the heirs of his body; failing a male child, the succession shall be to the senior female child and to the heirs of her body. In case there is no heir as above provided, then the successor shall be the person whom the sovereign shall appoint, with the consent of the nobles, and publicly proclaim as such during the King's life; but should there be no such appointment and proclamation and the throne should become vacant, then the cabinet council, immediately after the occurring of such vacancy, shall cause a meeting of the legislative assembly, who shall elect by ballot some native Alii of the Kingdom as successor to the throne; and the successor so elected shall become a new *Stirps* for a royal family, and the succession from the sovereign thus elected shall be regulated by the same law as the present royal family of Hawaii.

"'ARTICLE 23. It shall not be lawful for any member of the royal family of Hawaii, who may by law succeed to the throne, to contract marriage without the consent of the reigning sovereign. Every marriage so contracted shall be void, and the person so contracting a marriage may, by the proclamation of the reigning sovereign, be declared to have forfeited his or her right to the throne, and, after such proclamation, the right of succession shall vest in the next heir, as though such offender were *dead*.

"'ARTICLE 24. His Majesty Kamehameha V will, and his successors upon coming to the throne shall, take the following oath: I solemnly swear in the presence of Almighty God to maintain the constitution of the Kingdom whole and inviolate, and to govern in conformity therewith.

"'ARTICLE 25. No person shall ever sit upon the throne who has been convicted of any infamous crime, or who is insane, or an idiot.

"'ARTICLE 26. The King is the commander-in-chief of the army and navy, and of all other military forces of the Kingdom, by sea and land; and has full power by himself, or by any officer or officers he may

appoint, to train and govern such forces as he may judge best for the defense and safety of the Kingdom. But he shall never proclaim without the consent of the legislative assembly.

"'ARTICLE 27. The King, by and with the advice of his privy council, has the power to grant reprieves and pardon, after conviction, for all offenses, except in cases of impeachment.

"'ARTICLE 28. The King, by and with the advice of his privy council, convenes the legislative assembly at the seat of Government, or at a different place if that should become dangerous from an enemy, or any dangerous disorder; and in case of disagreement between His Majesty and the legislative assembly he adjourns, prorogues, or dissolves it, but not beyond the next ordinary session under any great emergency he may convene the legislative assembly to extraordinary sessions.

"'ARTICLE 29. The King has the power to make treaties. Treaties involving changes in the tariff or in any law of the Kingdom shall be referred for approval to the legislative assembly. The King appoints public ministers, who shall be commissioned, accredited, and instructed agreeably to the usuage and law of nations.

"'ARTICLE 30. It is the King's prerogative to receive and acknowledge public ministers, to inform the legislative assembly by royal message, from time to time, of the state of the Kingdom, and to recommend to its consideration such measures as he shall judge necessary and expedient.

"'ARTICLE 31. The person of the King is inviolable and sacred. His ministers are responsible. To the King belongs the executive power. All laws that have passed the legislative assembly shall require His Majesty's signature in order to their validity.

"'ARTICLE 32. Whenever, upon the decease of the reigning sovereign, the heir shall be less than eighteen years of age, the royal power shall be exercised by a regent or council of regency, as hereinafter provided.

"'ARTICLE 33. It shall lawful for the King at any time when he may be about to absent himself from the Kingdom to appoint a regent, or council of regency, who shall administer the Government in his name; and likewise the King may, by his last will and testament, appoint a regent, or council of regency, to administer the Government during the minority of any heir to the throne, and should a sovereign decease, leaving a minor heir, and having made no last will and testament, the cabinet council, at the time of such decease, shall be a council of regency until the legislative assembly, which shall be called immediately, may be assembled, and the legislative assembly immediately that it is assembled shall proceed to choose, by ballot, a regent, or council of regency, who shall administer the Government in the name of the King, and exercise all the powers which are constitutionally vested in the King until he shall have attained the age of eighteen years, which age is declared to be the legal majority of such sovereigns.

"'ARTICLE 34. The King is sovereign of all the chiefs and of all the people; the Kingdom is his.

"'ARTICLE 35. All titles of honor, orders, and other distinctions emanate from the King.

"'ARTICLE 36. The King coins money and regulates the currency by law.

"'ARTICLE 37. The King, in case of invasion or rebellion, can place the whole Kingdom, or any part of it, under martial law.

"'ARTICLE 38. The national ensign shall not be changed except by act of the Legislature.

"'ARTICLE 39. The King's private lands and other property are inviolable.

"'ARTICLE 40. The King can not be sued or held to account in any court or tribunal of the realm.

"'ARTICLE 41. There shall continue to be a council of state for advising the King in all matters for the good of the State wherein he may require its advice, and for assisting him in administering the executive affairs of the Government in such manner as he may direct; which council shall be called the King's private council of state, and the members thereof shall be appointed by the King, to hold office during His Majesty's pleasure.

"'ARTICLE 42. The King's cabinet shall consist of a minister of foreign affairs, the minister of the interior, the minister of finance, and the attorney-general of the Kingdom, and these shall be His Majesty's special advisers in the executive affairs of the Kingdom; and they shall be *ex officio* members of His Majesty's privy council of state. They shall be appointed and commissioned by the King, and hold office during His Majesty's pleasure, subject to impeachment. No act of the King shall have any effect unless it be countersigned by a minister, who, by that signature, makes himself responsible.

"'ARTICLE 43. Each member of the King's cabinet shall keep an office at the seat of Government, and shall be accountable for the conduct of his deputies or clerks. The ministry holds seats *ex officio* as nobles in the legislative assembly.

"'ARTICLE 44. The minister of finance shall present to the legislative assembly, in the name of the Government, on the first day of the meeting of the Legislature, the financial budget in the Hawaiian and English languages.

"'ARTICLE 45. The Legislative power of the three estates of this kingdom is vested in the King and the legislative assembly; which assembly shall consist of the nobles, appointed by the King, and of the representatives of the people, sitting together.

"'ARTICLE 46. The legislative body shall assemble biennially in the month of April, and at such other time as the King may judge necessary, for the purpose of seeking the welfare of the nation. This body shall be styled the Legislature of the Hawaiian Kingdom.

"'ARTICLE 47. Every member of the legislative assembly shall take the following oath: I most solemnly swear, in the presence of Almighty God, that I will faithfully support the constitution of the Hawaiian Kingdom and conscientiously and impartially discharge my duties as a member of this assembly.

"'ARTICLE 48. The Legislature has full power and authority to amend the constitution as hereinafter provided, and from time to time to make all manner of wholesome laws not repugnant to the provisions of the constitution.

"'ARTICLE 49. The King shall signify his approval of any bill or resolution which shall have passed the legislative assembly by signing the same previous to the final rising of the Legislature. But if he shall object to the passing of such bill or resolution he will return to the legislative assembly, who shall enter the fact of such return on its journal, and such bill or resolution shall not be brought forward thereafter during the same session.

"'ARTICLE 50. The legislative assembly shall be the judge of the qualifications of its own members, and a majority shall constitute a

quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as the assembly may provide.

"'ARTICLE 51. The legislative assembly shall choose its own officers and determine the rules of its own proceedings.

"'ARTICLE 52. The legislative assembly shall have authority to punish by imprisonment, not exceeding thirty days, every person not a member who shall be guilty of disrespect to the assembly by any disorderly or contemptuous behavior in its presence, or who, during the time of its sitting, shall make any false report of its proceedings or insulting comments upon the same, or who shall threaten harm to the body or estate of any of its members for anything said or done in the assembly, or who shall assault any of them therefor, or who shall assault or arrest any witness or other person ordered to attend the assembly in his way going or returning or who shall rescue any person arrested by order of the assembly.

"'ARTICLE 53. The legislative assembly may punish its own members for disorderly behavior.

"'ARTICLE 54. The legislative assembly shall keep a journal of its proceedings, and the yeas and nays of its members, or any question, shall, at the desire of one-fifth of those present, be entered on the journal.

"'ARTICLE 55. The members of the legislative assembly shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the Legislature and in going to and returning from the same; and they shall not be held to answer for any speech or debate held in the assembly in any other court or place whatsoever.

"'ARTICLE 56. The representatives shall receive for their services a compensation to be ascertained by law and paid out of the public treasury, but no increase of compensation shall take effect during the year in which it shall have been made; and no law shall be passed increasing the compensation of said representatives beyond the sum of two hundred and fifty dollars for each session.

"'ARTICLE 57. The King appoints the nobles, who shall hold their appointments during life, subject to the provisions of article 53, but their number shall not exceed twenty.

"'ARTICLE 58. No person shall be appointed a noble who shall not have attained the age of twenty-one years and resided in the Kingdom five years.

"'ARTICLE 59. The nobles shall be a court, with full and sole authority to hear and determine all impeachments made by the representatives, as the grand inquest of the Kingdom, against any officers of the Kingdom for misconduct or maladministration in their offices; but, previous to the trial of every impeachment, the nobles shall respectively be sworn truly and impartially to determine the charge in question, according to evidence and the law. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit under this Government; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment according to the laws of the land. No minister shall sit as a noble on the trial of any impeachment.

"'ARTICLE 60. The representation of the people shall be based upon the principle of equality, and shall be regulated and apportioned by the Legislature according to the population, to be ascertained, from time to time, by the official census. The representatives shall not be

less in number than twenty-four nor more than forty, who shall be elected biennually.

"'ARTICLE 61. No person shall be eligible for a representative of the people who is insane or an idiot; nor unless he be a male subject of the Kingdom; who shall have arrived at a full age of twenty-one years, who shall know how to read and write, who shall understand accounts, and shall have been domiciled in the Kingdom for at least three years, the last of which shall be the year immediately preceding his election, and who shall own real estate within the Kingdom of a clear value over and above all incumbrances of at least five hundred dollars, or who shall have an annual income of at least two hundred and fifty dollars derived from any property or some lawful employment.

"'ARTICLE 62. Every male subject of the Kingdom who shall have paid his taxes, who shall have attained the age of twenty years, and shall have been domiciled in the Kingdom for one year immediately preceding the election, and shall be possessed of real property in this Kingdom to the value over and above all incumbrances of one hundred and fifty dollars, or of a leasehold property on which the rent is twenty-five dollars per year, or of an income of not less than seventy-five dollars per year, derived from any property or some lawful employment, and shall know how to read and write, if born since the year 1840, and shall have caused his name to be entered on the list of voters of his district as may be provided by law, shall be entitled to one vote for the representative or representatives of that district: *Provided, however*, That no insane or idiotic person, nor any person who shall have been convicted of any infamous crime within this Kingdom, unless he shall have been pardoned by the King, and by the terms of such pardon have been restored to all the rights of a subject, shall be allowed to vote.

"'ARTICLE 63. The property qualifications of the representatives of the people and of the electors may be increased by law.

"'ARTICLE 64. The judicial power of the Kingdom shall be vested in one supreme court, and in such inferior courts as the Legislature may, from time to time, establish.

"'ARTICLE 65. The supreme court shall consist of a chief justice and not less than two associate justices, any of who may hold the court. The justices of the supreme court shall hold their offices during good behavior, subject to remoual upon impeachment, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office: *Provided, however*, That any judge of the supreme court or any other court of record may be removed from office, on a resolution passed by two-thirds of the legislative assembly, for good cause shown to the satisfaction of the King. The judge against whom the legislative assembly may be about to proceed shall receive notice thereof, accompanied by a copy of the causes alleged for his removal, at least ten days before the day on which the legislative assembly shall act thereon. He shall be heard before the legislative assembly.

"'ARTICLE 66. The judicial power shall be divided among the supreme court and the several inferior courts of the Kingdom in such manner as the Legislature may from time to time prescribe, and the tenure of office in the inferior courts of the Kingdom shall be such as may be defined by the law creating them.

"'ARTICLE 67. The judicial power shall extend to all cases in law and equity arising under the constitution and laws of this Kingdom, and treaties made, or which shall be made under their authority, to all

cases affecting public ministers and councils and to all cases of admiralty and maritime jurisdiction.

'ARTICLE 68. The chief justice of the supreme court shall be the chancellor of the Kingdom; he shall be *ex officio* president of the nobles in all cases of impeachment, unless when impeached himself, and exercise such jurisdiction in equity or other cases as the law may confer upon him, his decisions being subject, however, to the revision of the supreme court on appeal. Should the chief justice ever be impeached some person specially commissioned by the King shall be president of the court of impeachment during such trial.

"'ARTICLE 69. The decisions of the supreme court, when made by a majority of the justices thereof, shall be final and conclusive upon all parties.

"'ARTICLE 70. The King, his cabinet, and the legislative assembly shall have authority to require the opinions of the justices of the supreme court upon important questions of law and upon solemn occasions.

"'ARTICLE. 71. The King appoints the justices of the supreme court and all other judges of courts of record; their salaries are fixed by law.

"'ARTICLE 72. No judge or magistrate can sit alone on an appeal or new trial in any case on which he may have given a previous judgment.

"'ARTICLE 73. No person shall ever hold any office of honor, trust, or profit under the Government of the Hawaiian Islands who shall, in due course of law, have been convicted of theft, bribery, perjury, forgery, embezzlement, or other high crime or misdemeanor, unless he shall have been pardoned by the King and restored to his civil rights, and by the express terms of his pardon declared to be appointable to offices of trust, honor, and profit.

"'ARTICLE 74. No officer of this Government shall hold any office or receive any salary from any other Government or power whatever.

"'ARTICLE 75. The Legislature votes the appropriations biennially, after due consideration of the revenue and expenditures for the two preceding years and the estimates of the revenue and expenditures of the two succeeding years, which shall be submitted to them by the minister of finance.

"'ARTICLE 76. The enacting style in making and passing all acts and laws shall be, "Be it enacted by the King and the legislative assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled."

"'ARTICLE 77. To avoid improper influences which may result from intermixing in one and the same act such things as have no proper relation to each other every law shall embrace but one object, and that shall be expressed in its title.

"'ARTICLE 78. All laws in force in this Kingdom shall continue and remain in full effect until altered or repealed by the Legislature, such parts only excepted as are repugnant to this constitution. All laws heretofore enacted, or that may hereafter be enacted, which are contrary to this constitution shall be null and void.

"'ARTICLE 79. This constitution shall be in force from the twentieth day of August, in the year one thousand eight hundred and sixty-four, but that there may be no failure of justice or inconvenience to the Kingdom from any change, all officers of this Kingdom, at the time this constitution shall take effect, shall have, hold, and exercise all the power to them granted until other persons shall be appointed in their stead.

"'ARTICLE 80. Any amendment or amendments to this constitution

may be proposed in the legislative assembly, and if the same shall be agreed to by a majority of the members thereof, such proposed amendment or amendments shall be entered on its journal, with the yeas and nays taken thereon, and referred to the next Legislature; which proposed amendment or amendments shall be published for three months previous to the next election of representatives; and if in the next Legislature such proposed amendment or amendments shall be agreed to by two-thirds of all the members of the legislative assembly, and be approved by the King, such amendment or amendments shall become part of the constitution of this country.

"'KAMEHAMEHA R.'"

(Pp. 26, 27, 28, 29, 30, 31, 32, and 33.)

Joint resolution of the Hawaiian Legislature of 1856.

"'*Resolved*, That whereas it is desirable to codify our existing laws, His Royal Highness Prince Kamehameha, the honorable W. L. Lee, chief justice, and the honorable George M. Robertson, associate judge of the supreme court, are appointed a committee to prepare a complete civil code, adding notes with reference to important decisions of court under the laws, wherever they may think necessary, and to report the same for the sanction of the Legislature of 1858, with an appropriate index for facility of reference'" (p. 39).

Comment on legislative provision for publication of Hawaiian law reports.

"'It may not be inappropriate in this connection to state that so highly esteemed are some of the *dicta* of our Hawaiian courts abroad that their decisions have in more than one instance been quoted in some of the higher courts of the United States. This is no small honor to be attained by a nation which, one generation only ago, had no law but the "word of the chief'" (p. 40).

XX. LIST SHOWING THAT A VERY SMALL PROPORTION OF THE OFFICERS IN CHARGE OF THE CONDUCT OF THE GOVERNMENT WERE NATIVE HAWAIIANS, THE LARGER PROPORTION BEING AMERICANS.

"*The court, Government officers, etc.*

"*The court.*—His Majesty Kamehameha V, born December 11, 1830. Ascended the throne November 30, 1863. Son of Kinau and grandson of Kamehameha I.

"Her Majesty Queen Dowager Kalama, relict of His Majesty Kauikeaouli, Kamehameha III.

"Her Majesty Queen Dowager Emma, relict of His Majesty Alexander Liholiho, Kamehameha IV.

"*Privy council of state.*—His Majesty the King. Their excellencies the ministers; the governors of Oahu, Kauai, and Maui. Her excellency the governess of Hawaii. His honor the chancellor of the Kingdom.

"H. A. Kahanu, S. N. Castle, R. G. Davis, A. Fornander, C. Kanaina, C. R. Bishop, P. Y. Kaeo, P. S. Kalama, W. Hillebrand, W. C. Lunalilo, T. S. Staley, J. W. Makalena, W. P. Kamakau, G. Rhodes, J. Mott Smith, T. C. Heuck; secretary, D. Kalakaua.

"*The cabinet.*—His Majesty the King; minister of foreign relations, his excellency C. de Varigny; minister of the interior, his excellency

F. W. Hutchison; minister of finance, his excellency C. C. Harris; attorney-general, Hon. S. H. Phillips.

"*Bureau of public instruction.*—President, Hon. W. P. Kamakau; members, C. C. Harris, C. de Varigny, F. W. Hutchison, and Bishop Staley; inspector-general of schools, A. Fornander; secretary, W. J. Smith.

"*Bureau immigration.*—President, minister of the interior; members, C. R. Bishop, C. C. Harris, D. Kalakaua, W. Hillebrand.

"*Supreme court.*—Chief justice, E. H. Allen; first associate justice, Hon. A. S. Hartwell; second associate justice, Hon. H. A. Widemann; clerk, L. McCully, esq.; assistant clerk, W. Humphreys, esq.

"*Circuit judges.*—First circuit, Oahu, Hon. W. P. Kamakau; second circuit, Maui, Hon. A. J. Lawrence; third circuit, Hawaii, Hons. D. K. Naiapaakai, C. F. Hart, and R. A. Lyman; fourth circuit, Kauai, Hon. D. McBryde.

"*Board of health.*—President, minister of the interior; members, W. Hillebrand, M. D.; Godfrey Rhodes, W. P. Kamakau, T. C. Heuck; port physician, A. C. Buffum.

"*Government officers.*—Jailer, Oahu prison, Capt. J. H. Brown; collector-general of customs, W. F. Allen, esq.; postmaster-general, A. P. Brickwood, esq.; registrar of conveyances, Thomas Brown, esq.; superintendent waterworks, Capt. Thomas Long; superintendent public works, Robert Sterling, esq.; harbor master of Honolulu, Capt. John Meek; pilots in Honolulu, Capts. A. McIntyre and C. S. Chadwick" (p. 75).

XXI. AND THE FOLLOWING STATEMENT OF ADMIRAL BELKNAP, FROM THE BOSTON HERALD OF JANUARY 31, 1893.

To the Editor of the Herald:

The revolution in the Hawaiian Islands, resulting in the deposition of the Queen and the establishment of a provisional government, is an event not unexpected to diplomatic, naval, and consular officers who have had any acquaintance or familiarity with the course of affairs in that island Kingdom for the past twenty years.

To the people of the United States the present situation is of momentous interest and of vital importance. Indeed, it would seem that nature had established that group to be ultimately occupied as an outpost, as it were, of the great Republic on its western border, and that the time had now come for the fulfillment of such design.

A glance at a chart of the Pacific will indicate to the most casual observer the great importance and inestimable value of those islands as a strategic point and commercial center. Situated in mid-north Pacific, the group looks out on every hand toward grand opportunities of trade, political aggrandizement, and polyglot intercourse.

To the north and northwest it beckons to the teeming populations of China, Japan, Korea, and Russian coast of Asia; to the north and northeast it calls to Alaska and British Columbia; to the east it bows to the imperial domain of the western United States, holding out its confiding hands for closer clasp and more binding tie; to the southeast it nods to Mexico, Central America, Colombia, Bolivia, Peru, and Chile; to the south and southwest it salutes the growing influence and tropic opportunities of Australia, New Zealand, and the numerous island groups constituting Polynesia.

Its chief commercial point, Honolulu, is already a port of call for our lines of steamships to Japan and Polynesia, and for the British lines

to New Zealand and Australia from Vancouver. That port also stands directly in the track of the commerce that will flow through the Nicaragua Canal when that great commercial need is completed. Indeed, in that coming day the enchanting coral, reef-locked harbor of Honolulu will hardly suffice to take in the ships that will put in there.

The interests in the group are mainly American, or substantially connected commercially with the United States. In the palmy days of the whale fishery the ports of Honolulu and Lahaina used to be packed at certain seasons of the year with the ships of that great and adventurous industry.

The advent of our missionaries at the islands in 1820, and the excellent work they did there, won the hearts of the natives and increased American influence. The treaty of reciprocity made with King Kalakaua in 1875 welded in closest bonds the ties of friendship and trade, and gave to the group its present wealth and prosperity.

The group now seeks annexation to the United States; the consummation of such wish would inure to the benefit of both peoples, commercially and politically. Annex the islands, constitute them a territory, and reciprocal trade will double within ten years. Let the islanders feel that they are once and forever under the folds of the American flag, as part and parcel of the great Republic, and a development will take place in the group that will at once surprise its people and the world.

Not to take the fruit within our grasp and annex the group now begging us to take it in would be folly indeed—a mistake of the gravest character, both for the statesmen of the day and for the men among us of high commercial aims and great enterprises.

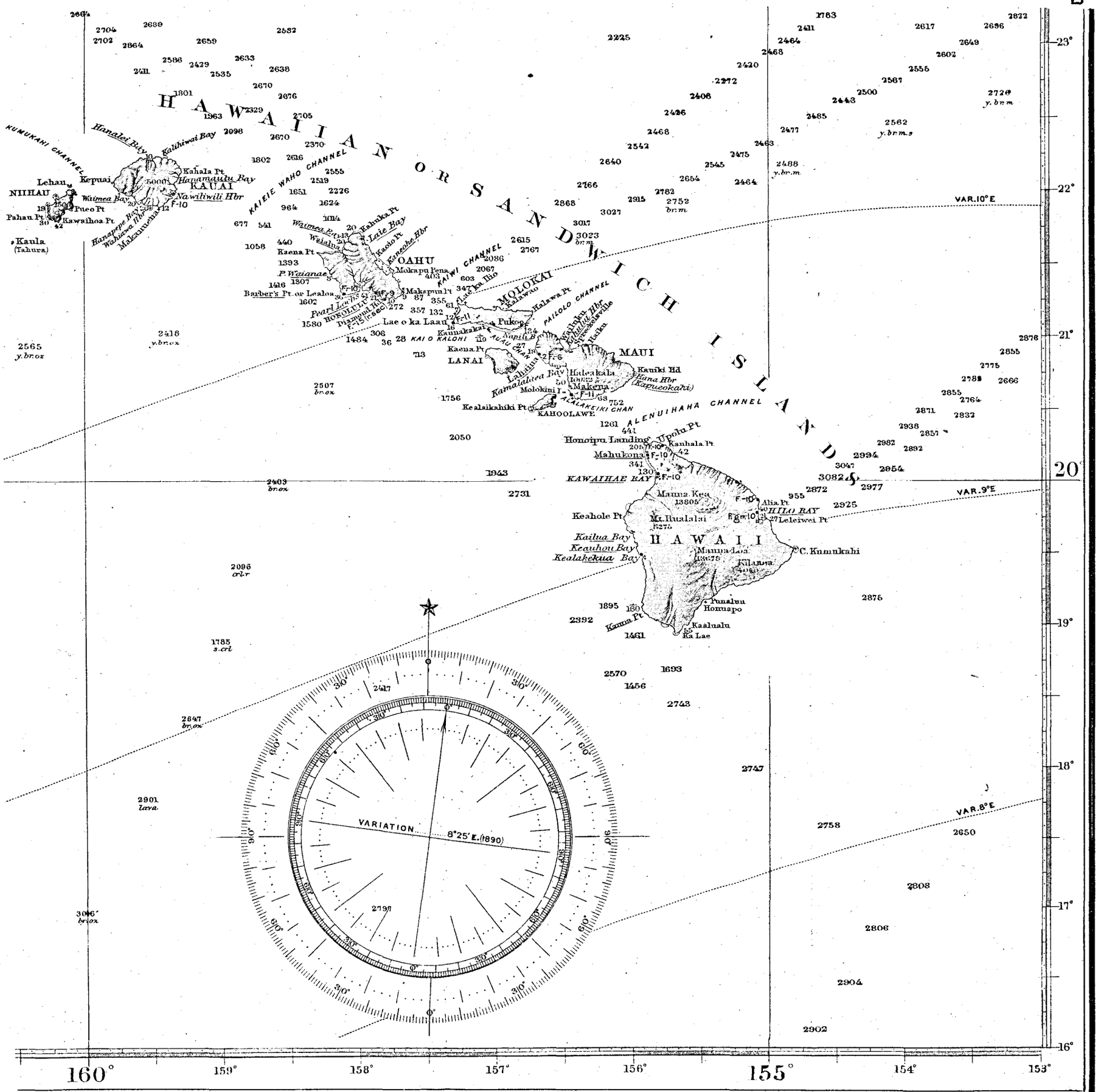
Our statesmen should act in this matter in the spirit and resolve that secured to us the vast Louisiana purchase, the annexation of Texas, and the acquisition of California. The administration that secures to the United States the "coign of vantage" in the possession of those beautiful islands will score a great measure of beneficent achievement to the credit side of its account.

But in the path of annexation England will throw down the gauntlet of protest and obstruction. To that end she will bend all the powers of her diplomacy; all the cunning of her foreign-office procedures; all the energy, unwearied effort, and unvarying constancy that has ever made her secretly hostile in her diplomatic methods and commercial policies to the welfare, growth, and advancement of the United States.

She wants to gather the group under her own control; she would like to Egyptianize that vital point in the Pacific; she burns to establish a Pacific Bermuda off our Western coast, to hold the same relation toward the ports of Esquimalt and Victoria on Vancouver Island that Bermuda bears toward Halifax, all strongly fortified, connected by cable with Downing street, and stored with munitions of war.

Let the British lion once get its paw upon the group and Honolulu would soon become one of the most important strongholds of Great Britain's power. With her fortified port of Esquimalt dominating the entrance to Puget Sound, constituting an ever-standing menace to our domain in that region, she wants to supplement such commanding advantage by another stronghold at Hawaii, where, within six days' easy steaming from San Francisco, she could immediately threaten that port with one of her fleets in the event of the sudden outbreak of war.

Great Britain will undoubtedly propose a joint arrangement for the government of the islands, but we want none of that—no entangling alliances. We have had enough of such business at Samoa.



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S Doc 231 56 2

OAHU

HAWAIIAN ISLANDS

Reproduced from Hawaiian Government Survey,

W. D. ALEXANDER,
SURVEYOR GENERAL.

1881

SCALE. 0 1 2 3 4 5 6 7 8 9 MILES

OAHU RAILWAY.

DISTANCES FROM HONOLULU DEPOT.

	MILES
MOANALUA	2.76
PUULOA	6.23
*HALAWA	8.14
AIEA	9.37
*KALAUAO	10.20
WAIAU	10.93
*PEARL CITY	11.76
*WAIAWA	12.52
WAIPIO	13.58
WAIKELE	14.57
*HOAEAE	15.23
*EWA PLANTATION MILL	18.25

HONOLULU POST OFFICE TO

	MILES	
BISHOP'S CORNER (WAIKIKI)	3.2	
*WAIKIKI VILLA	3.6	
RACE COURSE	4.5	
*DIAMOND HEAD	5.9	
KAALAWAI	6.0	
	MILES	
THOMAS SQUARE	1.0	
PAWAA CORNERS	2.0	1.0
KAMOILILI	3.3	1.3
*TELEGRAPH HILL	5.0	1.7
*WAIALAE	6.2	1.2
*NIU	8.8	2.6
*KOKO HEAD	11.8	3.0
*MAKAPUU	14.8	3.0
*WAIMANALO	20.8	6.0
*WAIMANALO, VIA PALI	12.0	
NUUANU BRIDGE	1.1	
MAUSOLEUM	1.5	0.4
ELECTRIC RESERVOIR	2.7	1.2
HONOLULU DAIRY	2.9	0.2
LUAKAHA	4.3	1.4
*PALI	6.2	1.9
KANEOHE (NEW ROAD)	10.7	4.5
WAIAHOLE	17.7	7.0
*KUALOA	20.7	3.0
*KAHANA	25.2	4.5
*PUNALUU	27.2	2.0
*HAUULA	30.2	3.0
*LAIE	33.2	3.0
KAHUKU MILL	36.0	2.8
*KAHUKU RANCH	38.8	2.8
MOANALUA	3.4	
*KALAUAO	7.4	3.0
EWA CHURCH	10.2	2.8
*KIPAPA	13.6	3.4
KAIKONAHUA	20.0	6.4
LEILEHUA	20.0	
*WAIALUA	28.0	8.0
*WAIMEA	32.4	4.4
*KAHUKU RANCH	39.4	7.0
EWA CHURCH	10.2	
WAIPIO (BROWN'S)	11.2	1.0
*HOAEAE (ROBINSON'S)	13.5	2.3
*BARBER'S POINT L.H.	21.5	8.0
*NANAKULI	23.5	2.0
*WAIANAE PLANTATION	29.9	6.4
KAHANAHAIKI	36.9	7.0
*KAENA POINT	42.0	5.1
WAIALUA TO KAENA POINT	12.0	

*SHOWN ON MAP.

C.H. Ourand

Additions by C.H. Ourand. Feb. 1893.
Military Information Division, A.G.O.

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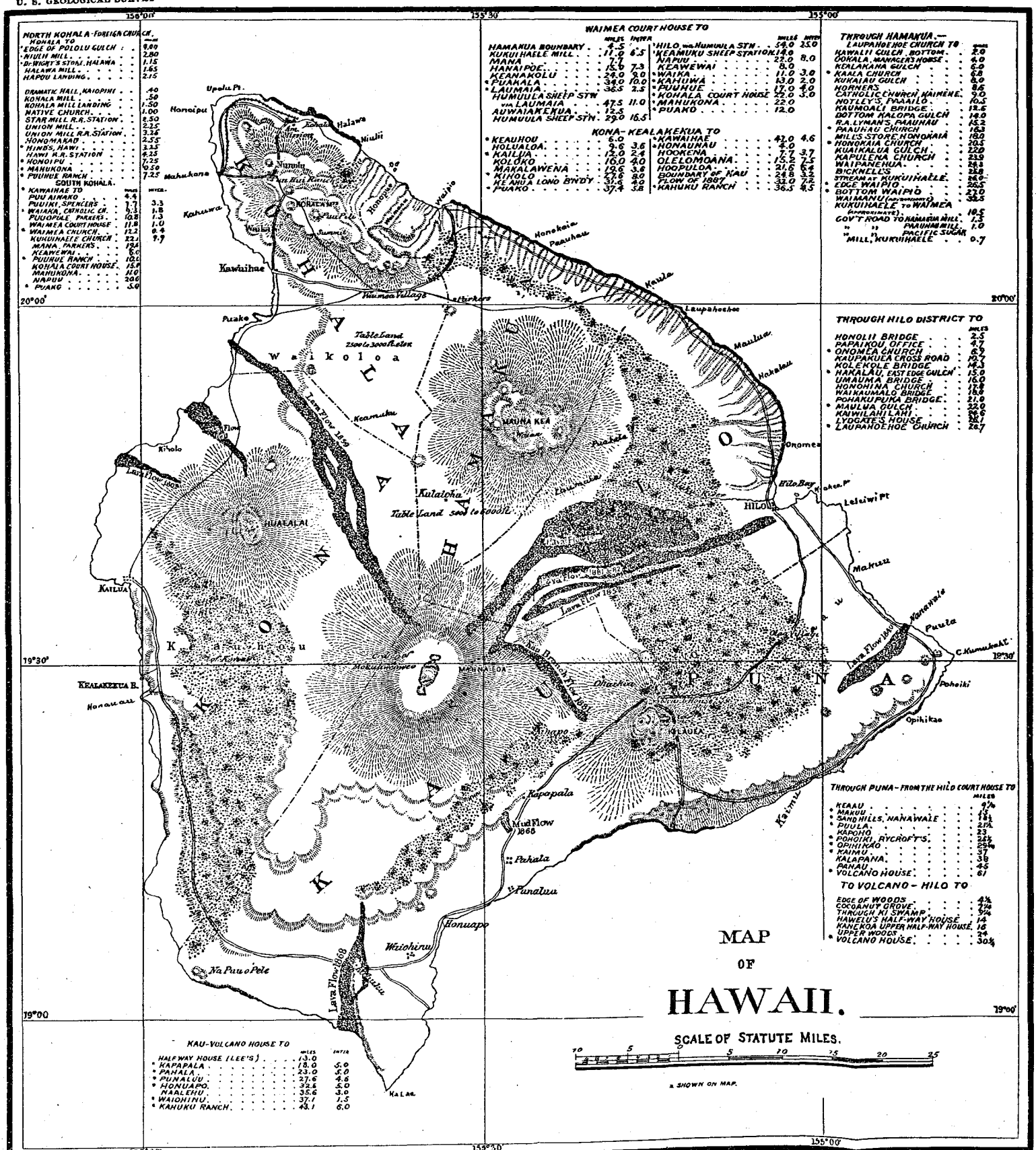

Additions by C. H. Ourand. Feb. 1893.
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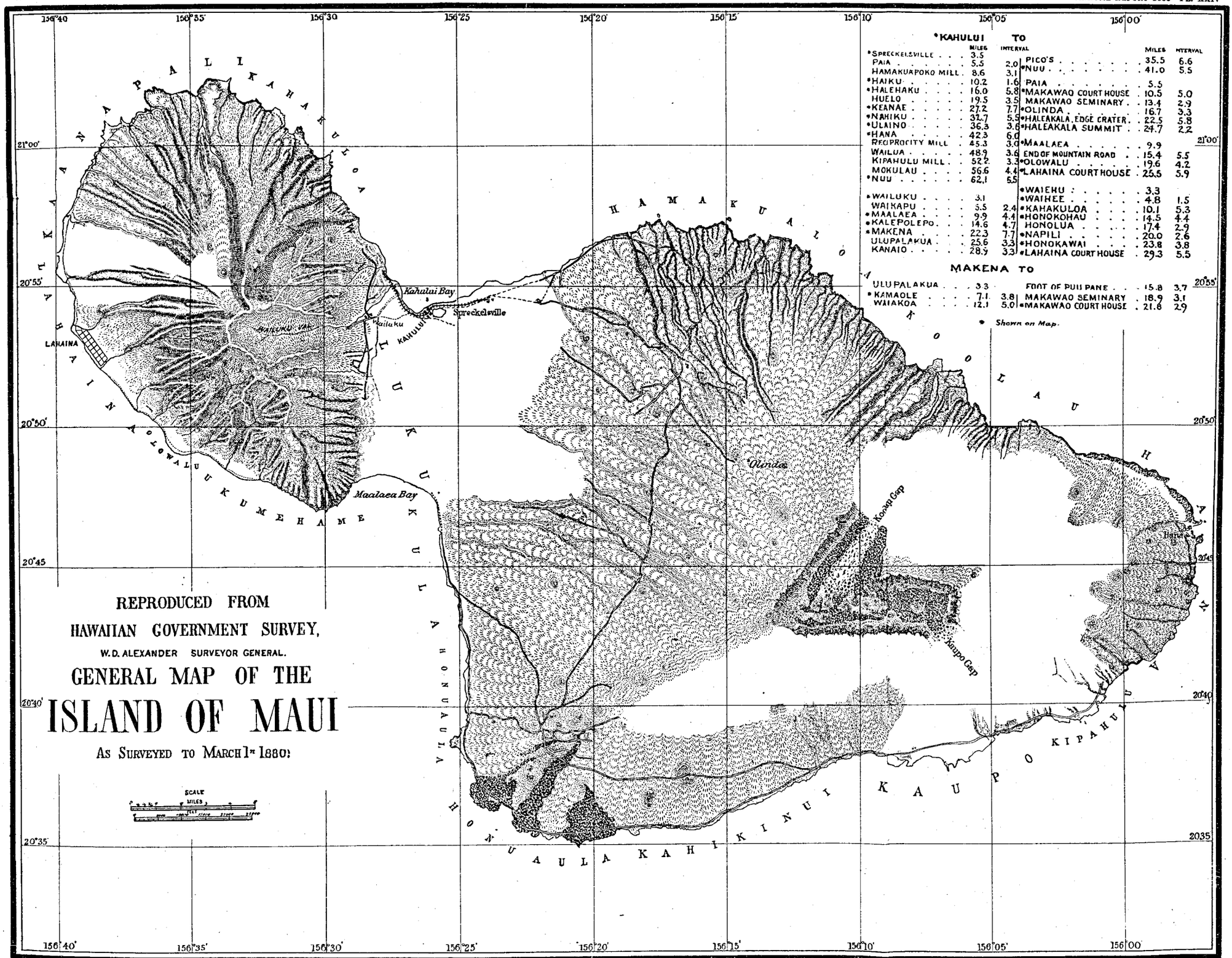


*KAHULUI	MILES	INTERVAL
*SPRECKELSVILLE	3.5	
PAIA	5.5	2.0
HAMAKUAPOKO MILL	8.6	3.1
*HAIKU	10.2	1.6
*HALEHAKU	16.0	5.8
HUELO	19.5	3.5
*KEANAE	27.2	7.7
*NAHIKU	32.7	5.5
*ULAINO	36.3	3.6
*HANA	42.3	6.0
RECIPROCITY MILL	45.3	3.0
WAILUA	48.9	3.6
KIPAHULU MILL	52.2	3.3
MOKULAU	56.6	4.4
*NUU	62.1	5.5

*WAILUKU	3.1	
WAIKAPU	5.5	2.4
*MAALAEA	9.9	4.4
*KALEPOLEPO	14.6	4.7
*MAKENA	22.3	7.7
ULUPALAKUA	25.6	3.3
KANAIO	28.9	3.3

TO	MILES	INTERVAL
PICO'S	35.5	6.6
*NUU	41.0	5.5
PAIA	5.5	
*MAKAWAO COURT HOUSE	10.5	5.0
MAKAWAO SEMINARY	13.4	2.9
*OLINDA	16.7	3.3
*HALEAKALA EDGE CRATER	22.5	5.8
*HALEAKALA SUMMIT	24.7	2.2
*MAALAEA	9.9	
END OF MOUNTAIN ROAD	15.4	5.5
*OLOWALU	19.6	4.2
*LAHAINA COURT HOUSE	25.5	5.9

*WAIEHU	3.3	
*WAIHEE	4.8	1.5
*KAHAKULOA	10.1	5.3
*HONOKOHAU	14.5	4.4
HONOLUA	17.4	2.9
*NAPILI	20.0	2.6
*HONOKAWAI	23.8	3.8
*LAHAINA COURT HOUSE	29.3	5.5

MAKENA TO

TO	MILES	INTERVAL
FOOT OF PUU PANE	15.8	3.7
MAKAWAO SEMINARY	18.9	3.1
*MAKAWAO COURT HOUSE	21.8	2.9

* Shown on Map.

REPRODUCED FROM
HAWAIIAN GOVERNMENT SURVEY,
W. D. ALEXANDER SURVEYOR GENERAL.

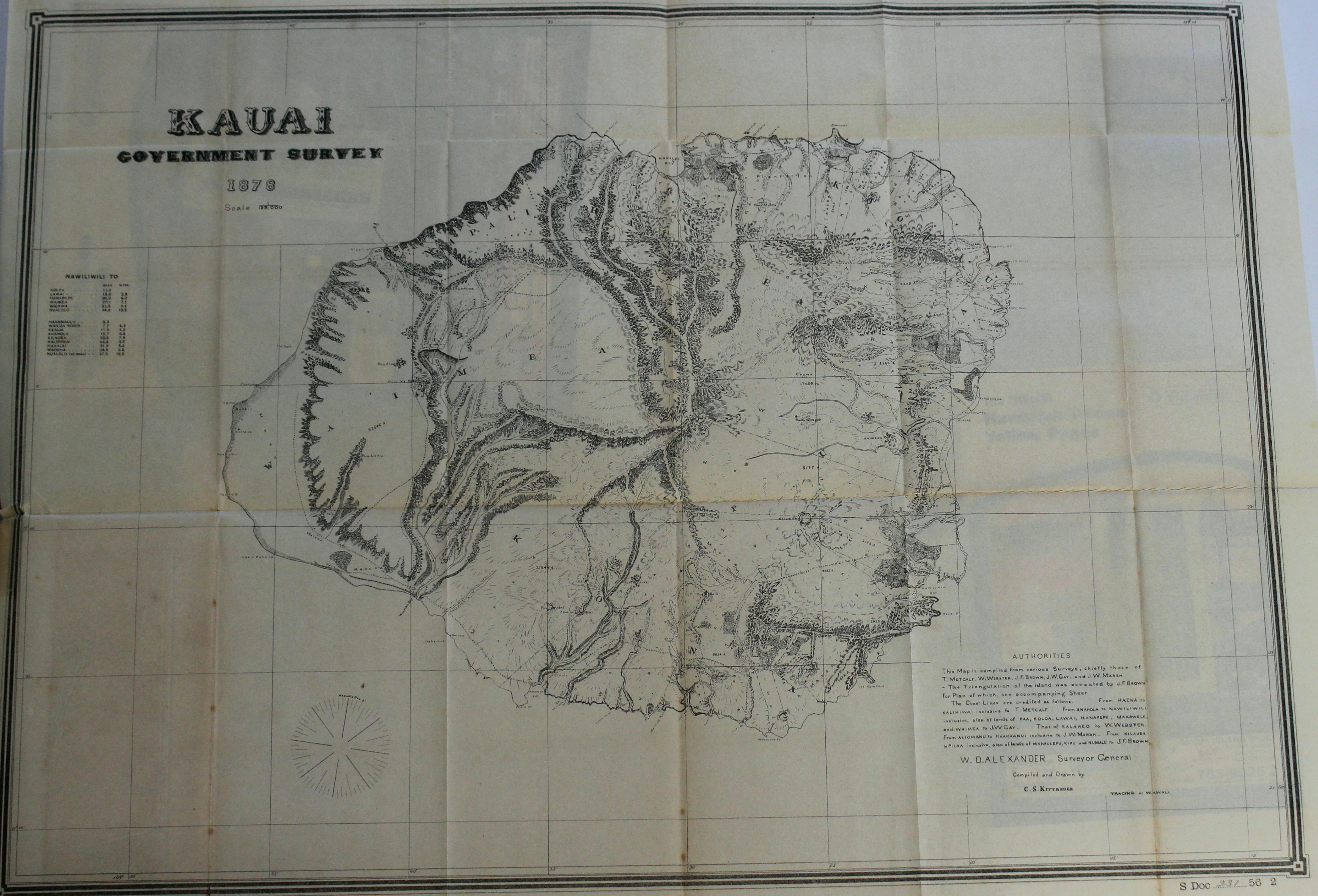
GENERAL MAP OF THE ISLAND OF MAUI

AS SURVEYED TO MARCH 1st 1880.

Additions by C. H. Ourand, Feb. 1893.
Military Information Division, A.G.O.

REPRODUCED BY PERMISSION OF THE DIRECTOR U. S. GEOLOGICAL SURVEY.

S Doc 231 56 2



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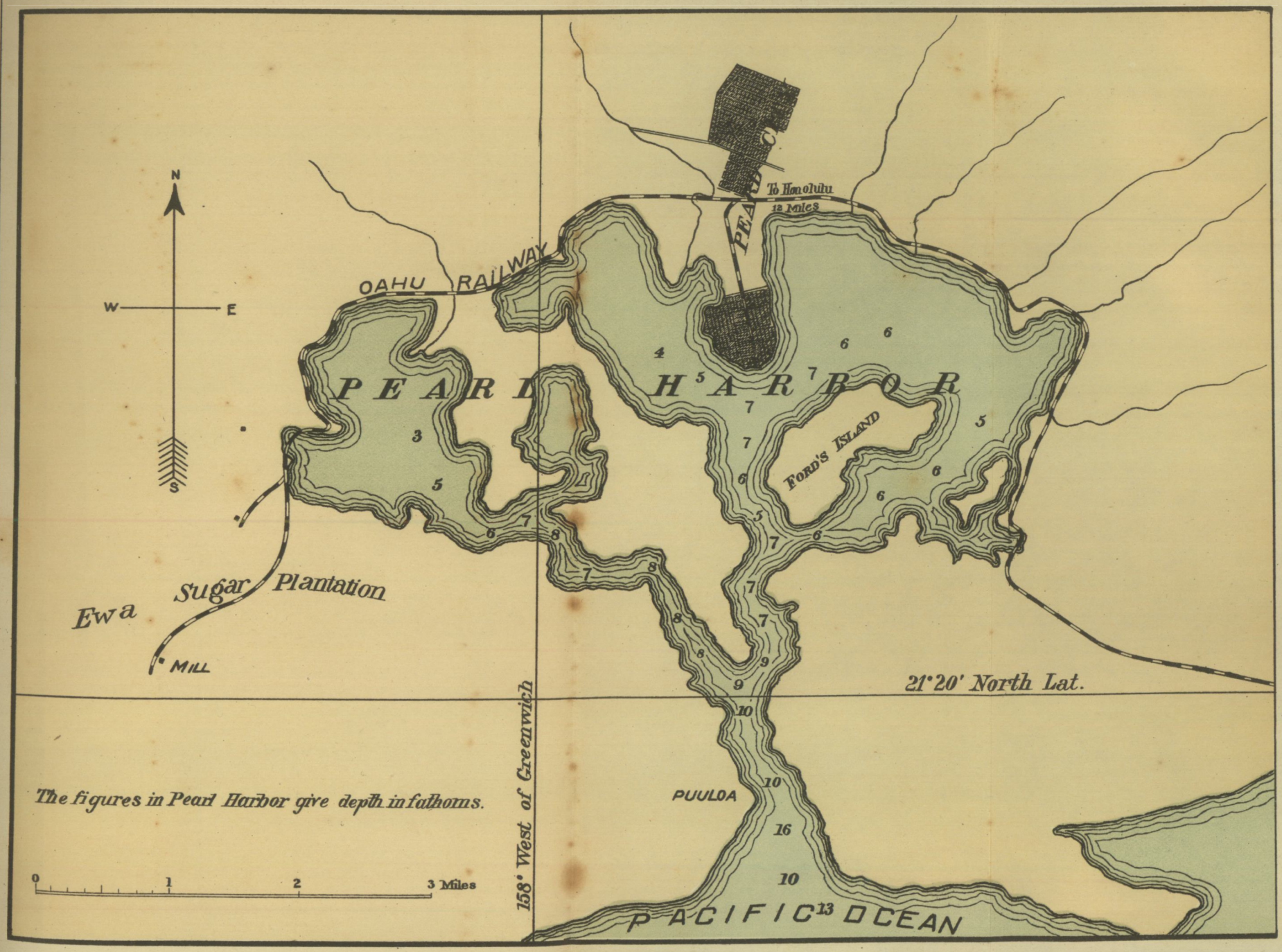
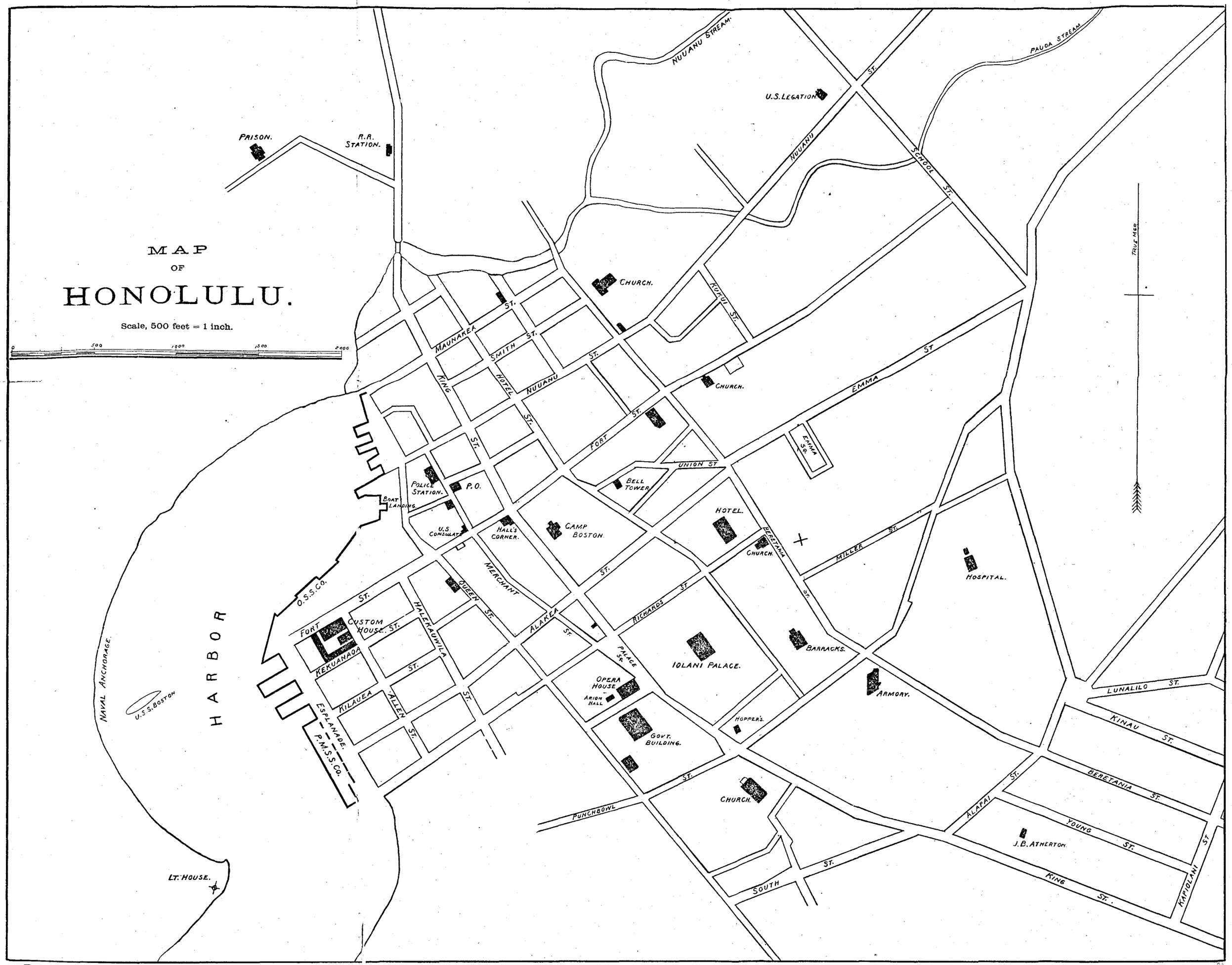

N
W
E
S
OAHU RAILWAY
To Honolulu
12 Miles
PEARL HARBOR
FORD'S ISLAND
Ewa Sugar Plantation
MILL
158° West of Greenwich
21°20' North Lat.
PUULOA
PACIFIC OCEAN
The figures in Pearl Harbor give depth in fathoms.
0 1 2 3 Miles

MAP OF HONOLULU.

Scale, 500 feet = 1 inch.

0 500 1000 1500 2000



December 27. 1893. Plat of Honolulu. Proven by Mr. Emerson.

I hereby certify to the accuracy of this map.
CHARLES L. CARTER.
HONOLULU, *December 9, 1893.*

S Doc 231 56 2

SCHOOL ST.
U.S. Legation
NUUANU AVE.
KUKUI ST.
FORT ST
EMMA ST.
MILLER ST
BERETANIA ST
PAUAHI ST.
SMITH ST
HOTEL ST
NUUANU ST
UNION ST
HOTEL ST
ALAKEA ST
KICHARDS ST
PALACE WALK
A.B.C.F.M.
Foote
West
Morgon
McGrew
HOTEL
C&M
Library
Austin
Smith
Brewer
McGrew
McWayne
S.C. Allen
A-R
Leaseholds
Hatch
Auth
C&C
Austin
Hopper
Hopper
Castle
Seminary
Chamberlain
Cooke
Parke
EXECUTIVE BUILDING

I, William D. Alexander, hereby upon oath depose and say that I am and for the past 20 years have been Surveyor General of the Hawaiian Islands and as such have charge of the Government maps; That the map upon which this affidavit is endorsed is a correct map of the central portion of the City of Honolulu and is made by F. E. Dodge, an assistant in my Department having charge of the City surveying; That from the records and maps in the Survey Department and from my personal knowledge the portions of this map colored red, were, to the best of my knowledge and belief, owned or leased by Americans on the 17 day of January 1893.

W.D. Alexander.

Washington D.C.
January 23, 1894

BERETANIA
PAUAHI
SMITH ST.
HOTEL ST
KEKAULIKE ST
MAUNAKEA ST
NUUANU ST
BETHEL ST.
UNION ST
Austin
Hatch
C&C
Leaseholds
Smith
Brewer
McGrew
YMCA
Library
C&M
HOTEL
A.T.C.
G.U. Ch
McWayne
S.C.Allen
A-R
Morgan
West
A.B.C.F.M.
Seminary
Castle
Parker
Cooke
Chamberlain
Forbes
Hopper
PALACE WALK
EXECUTIVE BUILDING
KING ST
PALACE SQUARE
Music Hall
Arion Hall
JUDICIARY BUILDING
Bishop
Austin Co.
Rice
Dimond
MERCHANT ST.
Youman
Bank
U.S Consulate
Spreckels
Wilder
QUEEN ST
PUNCHBOWL ST
SOUTH ST
MILILANI ST
ALAKEA ST
RICHARDS ST.
Allen
Hyman
Brewers Wharf
Boat Landing
FORT ST
HALEKAUWILA ST
Sailors Home
E.Lt.Co.
KEKUANAOA ST.
KILAUEA ST
Market
ALLEN ST
Custom House
Oceanic S.S. Co.
S.S.Co.
ESPLANADE
P.M.S.S. Co.
HARBOR
× Arion
U.S. Con
U.S. Lega
Residence
where troo

I, William D. Alexander, hereby upon oath depose and say that I am and for the past 20 years have been Surveyor General of the Hawaiian Islands and as such have charge of the Government maps; That the map upon which this affidavit is endorsed is a correct map of the central portion of the City of Honolulu, and is made by F. S. Dodge, an assistant in my Department having charge of the City surveying; That from the records and maps in the Survey Department and from my personal knowledge the portions of this map colored red, were, to the best of my knowledge and belief, owned or leased by Americans on the 17 day of January 1893.

W.D. Alexander.

Washington D. C.
January 23, 1894

Subscribed and sworn to before me this 23rd day of January 1894
Thomas W. Sotham
Notary Public

PART OF THE
CITY OF HONOLULU
OAHU H. I.

× Arion Hall
⋇ U.S. Consulate
∅ U.S. Legation
⊗ Residence of J.B. Atherton where troops first went

Scale 200 feet = 1 inch

Dec. 30 -'93. F. S. Dodge

NORTH PACIFIC OCEAN
BERING SEA
OKHOTSK SEA
SEA OF JAPAN
YELLOW SEA
ALEUTIAN ISLANDS
GULF OF ALASKA
HUDSON BAY
BRITISH POSSESSIONS
UNITED STATES
G. OF MEXICO
CARIBBEAN SEA
HAWAIIAN Is
PHILIPPINE Is
CAROLINE ISLANDS
GILBERT Is
MARSHALL Is
PROTECTORATE 1885
PROTECTORATE 1888
1889
1891
1892
1885
TUAMOTU Is
ECUADOR
COLUMBIA
VENEZUELA
Galapagos Is
JAPAN
HONSHU
KURILE ISLANDS
MARIANA Is
LADRONE Is
PAPUA or NEW GUINEA
ARAFURA SEA
CELEBES SEA
MINDANAO
Los Jardines
Parece Vela
Rock
Island
Reef
Wake I
Midway I
Pearl & Hermes Reef
Necker I
Gardner I
Phoenix Is
Enderbury I
Sydney I
Malden I
Starbuck I
Palmyra I
Washington I
Fanning I
Christmas I
Jarvis I
Howland I
Baker I
Hull I
Sydney I
Union Is
Hood I
Bowditch I
Bergen I
Victoria
Pearl I
Caroline I
Flint I
Vostok
Marquesas Is
Dominica I
Nukahiva
Matthias
Aguada
Sarigan
Guguan
Alamagan
Agrigan
Pagan
Asuncion
Farallon de Pajaros
Maug Is
Volcano Is
Bonin Is
Parry G.
Hershey G.
Sulphur I
Nanpo Sima
Rosario I
Hotel Tobago
Formosa
Pescadores
Bashi
Batan
Babuyan
Balintang
Mariveles
Corregidor
Manila
Subig B
Lingayen G
Polillo Is
Catanduanes
Bermudez Str
Sarangani B
Balabac Str
Sulu Sea
Celebes Sea
Molucca Sea
Banda Sea
Arafura Sea
Timor Sea
Gulf of Carpentaria
Torres Str
Coral Sea
Tasman Sea
Great Barrier Reef
Solomon Is
Bismarck Archipelago
New Britain
New Ireland
New Hanover
Admiralty Is
Duke of York I
Ellice Is
Gilbert Is
Marshall Is
Caroline Is
Pelew Is
Ladrone Is
Marianas
Volcano Is
Bonin Is
Kurile Is
Kamchatka
Okhotsk Sea
Sea of Japan
Yellow Sea
Gulf of Pechili
Formosa Str
Pescadores Is
Hainan
Tonquin G
Gulf of Siam
Malay Peninsula
Singapore
Sumatra
Java
Borneo
Celebes
Mindanao
Philippine Is
Luzon
Formosa
Japan
Honshu
Yezo
Saghalien
Amoor R
Behring Str
Behring Sea
Aleutian Is
Alaska
Kodiak I
Sitka
Queen Charlotte Is
Vancouver I
Juan de Fuca Str
Puget Sound
Columbia R
Oregon
California
Mexico
Gulf of California
Lower California
Cape Horn
Tierra del Fuego
Strait of Magellan
Falkland Is
Patagonia
Buenos Ayres
Rio de la Plata
Uruguay
Paraguay
Brazil
Rio Janeiro
Cape Frio
Cape St Roque
Pernambuco
Bahia
Trinidad
Tobago
Barbadoes
Martinique
Guadaloupe
Jamaica
Cuba
Hayti
Porto Rico
Bahama Is
Florida
Gulf of Mexico
Yucatan
Honduras
Nicaragua
Costa Rica
Panama
Darien
Gulf of Darien
Gulf of Panama
Gulf of Guayaquil
Peru
Lima
Callao
Chincha Is
Arica
Iquique
Chile
Valparaiso
Juan Fernandez
Easter I
Galapagos Is
Ecuador
Quito
Columbia
Venezuela
Caracas
Maracaibo
Orinoco R
Amazon R
Para
Maranham
Ceara
Rio Janeiro
Rio de la Plata
Montevideo
Buenos Ayres
Falkland Is
Cape Horn
Tierra del Fuego
Strait of Magellan
Patagonia
Chile
Peru
Ecuador
Columbia
Venezuela
Brazil
Paraguay
Uruguay
Mexico
Guatemala
Honduras
Nicaragua
Costa Rica
Panama
Cuba
Hayti
Jamaica
Porto Rico
Bahama Is
Florida
Gulf of Mexico
Yucatan
Texas
California
Oregon
Washington
Nevada
Utah
Arizona
New Mexico
Colorado
Wyoming
Montana
Dakota
Nebraska
Kansas
Missouri
Iowa
Minnesota
Wisconsin
Illinois
Michigan
Indiana
Ohio
Kentucky
Tennessee
Virginia
Carolina
Georgia
Alabama
Mississippi
Louisiana
Arkansas
Pennsylvania
New York
Maine
Vermont
New Hampshire
Massachusetts
Connecticut
Rhode Island
New Jersey
Delaware
Maryland
Chesapeake B
Cape Hatteras
Cape Florida
Cape Sable
Cape Cod
Cape Ann
Cape Race
Cape Breton
Gulf of St Lawrence
Anticosti I
Newfoundland
Labrador
Hudson Str
Davis Str
Baffin Bay
Greenland
Iceland
Jan Mayen I
Spitzbergen
Nova Zembla
Barents Sea
Kara Sea
Gulf of Obi
Siberia
Behring Str
Behring Sea
Aleutian Is
Alaska
Kodiak I
Sitka
Queen Charlotte Is
Vancouver I
Juan de Fuca Str
Puget Sound
Columbia R
Oregon
California
Mexico
Gulf of California
Lower California
Cape Horn
Tierra del Fuego
Strait of Magellan
Falkland Is
Patagonia
Buenos Ayres
Rio de la Plata
Uruguay
Paraguay
Brazil
Rio Janeiro
Cape Frio
Cape St Roque
Pernambuco
Bahia
Trinidad
Tobago
Barbadoes
Martinique
Guadaloupe
Jamaica
Cuba
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Porto Rico
Bahama Is
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Gulf of Mexico
Yucatan
Honduras
Nicaragua
Costa Rica
Panama
Darien
Gulf of Darien
Gulf of Panama
Gulf of Guayaquil
Peru
Lima
Callao
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Arica
Iquique
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Valparaiso
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Easter I
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Wyoming
Montana
Dakota
Nebraska
Kansas
Missouri
Iowa
Minnesota
Wisconsin
Illinois
Michigan
Indiana
Ohio
Kentucky
Tennessee
Virginia
Carolina
Georgia
Alabama
Mississippi
Louisiana
Arkansas
Pennsylvania
New York
Maine
Vermont
New Hampshire
Massachusetts
Connecticut
Rhode Island
New Jersey
Delaware
Maryland
Chesapeake B
Cape Hatteras
Cape Florida
Cape Sable
Cape Cod
Cape Ann
Cape Race
Cape Breton
Gulf of St Lawrence
Anticosti I
Newfoundland
Labrador
Hudson Str
Davis Str
Baffin Bay
Greenland
Iceland
Jan Mayen I
Spitzbergen
Nova Zembla
Barents Sea
Kara Sea
Gulf of Obi
Siberia

GREENLAND
KING CHRISTIAN IX LAND
K. FREDERICK VI LAND
DAVIS STRAIT
HUDSON BAY
BRITISH POSSESSIONS
RUPERTS LAND
LABRADOR
UNGAVA
CANADA
BRITISH COLUMBIA
UNITED STATES
MEXICO
BERING SEA
GULF OF ALASKA
ALEUTIAN ISLANDS
NORTH PACIFIC OCEAN
HAWAIIAN Is
NORTH ATLANTIC OCEAN
G. OF MEXICO
CARIBBEAN SEA
ECUADOR
BRAZIL
MARSHALL Is
GILBERT Is
TUAMOTU
PROTECTORATE 1885
PROTECTORATE 1888
PROTECTORATE 1888
PROTECTORATE 1888
PROTECTORATE 1888
1889
1891
1892
1892
1889

NAVAL CHART

OF THE

PACIFIC AND WESTERN ATLANTIC

Territories claimed by England
Territories claimed by France
Territories claimed by Germany

HYDROGRAPHIC OFFICE U.S. NAVY

REPRODUCED WITH THE CONSENT OF THE NAVY DEPARTMENT

THE HORRIS PETERS CO., PHOTO-LITHO., WASHINGTON, D. C.

REPRODUCED WITH THE CONSENT OF THE NAVY DEPARTMENT.

No; we want no joint protectorate, no occupation there by any European power, no Pacific Egypt. We need the group as part and parcel of the United States, and should take what is offered us, even at the hazard of war.

Westward the star of empire takes its way. Let the Monroe doctrine stay not its hand until it holds Hawaii securely within its grasp.

In this matter the undersigned speaks from personal knowledge, gained through official visits to the islands in 1874 and 1882, and could readily pursue the subject further and more into detail, but for the present forbears.

GEORGE E. BELKNAP.

BROOKLINE, *January 30, 1893.*

TESTIMONY BEFORE THE COMMITTEE ON FOREIGN RELATIONS, UNDER THE FOLLOWING RESOLUTION OF THE SENATE OF DECEMBER 20, 1893:

Resolved, That the Committee on Foreign Relations shall inquire and report whether any, and, if so, what irregularities have occurred in the diplomatic or other intercourse between the United States and Hawaii in relation to the recent political revolution in Hawaii, and to this end said committee is authorized to send for persons and papers and to administer oaths to witnesses.

FIRST DAY.

WASHINGTON, D. C., *December 27, 1893.*

The subcommittee met pursuant to notice.

Present: The Chairman (Senator Morgan), and Senators Gray, Sherman and Frye.

Absent: Senator Butler.

SWORN STATEMENT OF REV. OLIVER P. EMERSON.

The CHAIRMAN. Mr. Emerson, state your age?

Mr. EMERSON. I am 48. Born in 1845.

The CHAIRMAN. Where were you born?

Mr. EMERSON. I was born on the island of Maui, one of the Sandwich islands.

Senator SHERMAN. You are of American descent?

Mr. EMERSON. My father and mother were New Hampshire people.

The CHAIRMAN. How long had your father and mother resided in Hawaii before your birth?

Mr. EMERSON. From 1832 to 1845.

The CHAIRMAN. What was your father's vocation?

Mr. EMERSON. My father was a missionary. When I was born he was a missionary. He was a teacher then at the Government school—no, it was not a Government school; it was a missionary school. I am not sure about that. It was the only college where the natives went. It was at Subiualuero, Maui. My father was stationed at Waialua, Oahu. It is thirty miles from the city.

Senator GRAY. Is that the principal island?

Mr. EMERSON. It is the island on which Honolulu is situated; it is the best port and the seat of the Government.

Senator GRAY. What is your vocation?

Mr. EMERSON. I am the Secretary of the Hawaiian Board of Missions.

The CHAIRMAN. Are you a minister of the gospel, also?

Mr. EMERSON. Yes; I was ordained in 187[illegible] I was settled in the ministry first here, and was called in January, 1889, to take this position.

The CHAIRMAN. Do you speak the Hawaiian tongue?

Mr. EMERSON. I do. I preach in it and think in it as well as in English, so far as the limitations of the language are not concerned.

The CHAIRMAN. Is your father living?

Mr. EMERSON. No; he died in 1867.

The CHAIRMAN. Have you relatives living in Hawaii?

Mr. EMERSON. I have three brothers living in the city of Honolulu.

The CHAIRMAN. Was your father ever connected with the Government of Hawaii?

Mr. EMERSON. No. He was for a while road supervisor of the district, because there was no one else to take the position, and also acted as surveyor of the district, which he surveyed, plotted, and divided to give the natives land to plant. He was several years doing that.

The CHAIRMAN. Have you ever had any connection with the Hawaiian Government?

Mr. EMERSON. I have not.

The CHAIRMAN. Has either of your brothers been connected with the Hawaiian Government?

Mr. EMERSON. My brother, Dr. Emerson, was connected with the board of health; Joseph Emerson with the survey. He was a civil engineer. My brother, Samuel Emerson, was one of the postmasters of the district where his home was.

The CHAIRMAN. You have spoken of having been in the missionary school. Where did you complete your education?

Mr. EMERSON. I entered the sophomore class of Williams College, and took my three years' course in the theological seminary of Andover.

The CHAIRMAN. Were your brothers educated in Hawaii?

Mr. EMERSON. We were educated in the preliminary Oahu College, at Punahou, and then my brothers came on to this country to be educated.

The CHAIRMAN. Were you in Hawaii during the month of January, 1893?

Mr. EMERSON. Yes; I was in Honolulu.

The CHAIRMAN. Were you residing in Honolulu at that time?

Mr. EMERSON. Yes, my home was in the city.

The CHAIRMAN. How long had you resided there?

Mr. EMERSON. Since January 23, 1889—since my connection with the secretaryship of the Hawaiian Board of Missions.

The CHAIRMAN. When did you first become aware of the existence of revolutionary purposes amongst the people of any of the cities of Hawaii or of Honolulu? By Hawaii I mean the entire group of islands, the whole country.

Mr. EMERSON. I think the whole thing culminated the last week of the Legislature. The first significant utterance I know of was a remark made by a gentleman after the passage of the lottery bill. He said: "Rather than have that lottery bill pass and become a law of the land I would be willing to take up my musket and fight."

The CHAIRMAN. That was the last week of what?

Mr. EMERSON. That was the last week of the Hawaiian Legislature.

The CHAIRMAN. When was that?

Mr. EMERSON. Saturday, the 11th of January, was the last day of the session.

The CHAIRMAN. Was the Legislature prorogued?

Mr. EMERSON. It was prorogued at noon.

The CHAIRMAN. That was the first intimation you had that there was a revolutionary intent existing in the minds of any persons there?

Mr. EMERSON. I should say that was the first clear intimation; but there was a constant feeling in the air—talk during those days when the Queen and Legislature were coming out more and more in support of the opium, the distillery and the lottery bills.

The CHAIRMAN. How many days was this before the 14th of January that you heard this remark made?

Mr. EMERSON. I think it was two or three days. I can not recall exactly; but it was during that week. It was while the lottery bill was being considered—I think it was either Thursday or Friday that that bill was signed by the Queen.

The CHAIRMAN. Did you hear any other persons make use of expressions of a similar character before the time that the outbreak occurred?

Mr. EMERSON. A great many times I talked the matter over with my brother, the surveyor. I heard him speak with a good deal of vehemence against the Queen, feeling that the time might come, before long, when there ought to be a change. And in fact this talk had been the talk since 1887—not a very common talk.

Senator GRAY. Not a very common talk?

Mr. EMERSON. Not a very common talk, although among some perhaps it was more common than among others. I had not made up my mind that there should be a change, so long as the Queen lived, until Saturday.

Senator FRYE. The 14th of January?

Mr. EMERSON. The 14th of January.

The CHAIRMAN. Did you contemplate, and did you know that others contemplated, that at the death of the Queen there would be an effort made to establish a new form of government in Hawaii?

Mr. EMERSON. Nothing that had crystallized into shape, nothing that I knew of that had crystallized into a plan.

Senator FRYE. I would like to know, if the committee have no objection, what determined Mr. Emerson to change his mind and conclude that the Queen ought to be deposed, he having been a royalist up to the 14th of January.

The CHAIRMAN. Let me ask first whether Mr. Emerson was in sentiment a royalist up to the 14th of January.

Mr. EMERSON. I will say that, from the beginning of the reign of the Queen until the very last—I would not say the last week, but toward those last days—until the Queen's Legislature and the powers of the court seemed to go the wrong way, I was a supporter of the Queen, honestly so, and spoke in favor of her, not believing that she was a moral woman, but, perhaps, as a ruler not so bad as some might think. But during those last days I saw more and more clearly, until Saturday, when it was plain to me that the change must come.

The CHAIRMAN. During that period of which you speak, were you in favor of a monarchy in Hawaii, or were you desirous of having a republic established?

Mr. EMERSON. I think I felt a good deal as Judge Judd said, so long as our Hawaiian chiefs lived, that is, those who were really of the line, and they continued to reign—so long as they behaved themselves, I felt that I was a royalist, a loyal man to the Government; yes, sir.

Senator GRAY. Because you thought it best for all interests?

Mr. EMERSON. We did not see how we could——

The CHAIRMAN. Improve the matter?

Mr. EMERSON. Improve the situation. The matter of annexation to this country was not plain; the matter of establishing a republic seemed to be a questionable thing.

Senator GRAY. If you were a sincere royalist, as you say, it was because you believed the best interests of the islands would be subserved by that form of government?

Mr. EMERSON. Yes, I did so believe to the last.

Senator FRYE. On or about January 14 you changed your opinion as to the propriety of continuing the Queen in power?

Mr. EMERSON. I think it was associated first with the action of the House of Representatives, when there was a departure of some of the gentlemen, some of the white men who were members of the Legislature, to their homes—when there was a minority of those who were for reform measures, for good government, and there was a majority—claimed to be a majority—of those who were for spoils—for lottery, opium, and so on.

Senator GRAY. If those who favored reform measures had remained would there have been a majority that way?

Mr. EMERSON. Yes; there would have been a majority. I do not think the lottery bill could have been carried through. I saw how things were working. This Legislature was bribed, evidently it was bribed. It was the common talk of the natives that it was being bribed, and the Queen began to disclose her thorough sympathy with that party. The passage of the distillery bill and the opium bill, which are destructive bills, would have killed off the natives. Then there was the passage of the lottery bill, and afterwards the discharge of the good cabinet, the Wilcox-Jones cabinet, and the putting in a most irresponsible cabinet. Then there was the proclamation, or an attempt to put into execution a new constitution.

Senator SHERMAN. State what was the nature of that proposed change.

Mr. EMERSON. You mean of the constitution?

Senator SHERMAN. Yes.

Mr. EMERSON. The constitution, it is said, was destroyed by the Queen, and some have said that the constitution was one that would disfranchise the white men. Those who were not married to native women would have had the vote taken from them. It was a constitution that would have taken away the ballot from me. It would have taken from the people the power to elect the nobles and put it into the hands of the Queen. By the restricted ballot we were enabled, so far at least as the Legislature is concerned, to elect men of character who stood out against these measures of corruption.

Senator GRAY. By a restricted ballot?

Mr. EMERSON. Yes; by a restricted ballot.

The CHAIRMAN. You spoke of the Wilcox-Jones cabinet. What was the successor cabinet called?

Mr. EMERSON. The Parker-Cornwell cabinet—Colburn and Peterson. I believe it was Peterson—Cornwell or Peterson—who made the cabinet. They were the ones who made the cabinet.

The CHAIRMAN. Who was premier in the last cabinet?

Mr. EMERSON. Wilcox was the one previously to that—I do not know—I think it was Cornwell. I am not sure whether it was Cornwell or Peterson.

Senator FRYE. What was the distillery bill of which you spoke?

Mr. EMERSON. As I understood it the idea was that there would be

great opportunity for making rum, making alcoholic drinks there from sugar-cane juice and other products, that it might be a means of revenue or wealth to the islands—enlarge the business.

Senator FRYE. Encourage the opening of saloons?

Mr. EMERSON. It would have probably supplied cheaper drinks to the saloons.

Senator FRYE. What was the opium bill?

Mr. EMERSON. It was a bill that legalized the sale of opium. I do not know just the nature of the bill, but it was one that made it legal to sell opium.

Senator FRYE. Have you been troubled there from the use of opium?

Mr. EMERSON. We have had a good deal of trouble. It has been smuggled into the country. There have been opium rings, and some of the men connected with the Government were connected with the rings, no doubt. There is no doubt that the chief marshal of the Kingdom was.

Senator FRYE. Whom do you mean; Wilson?

Mr. EMERSON. Wilson. There is no doubt about that. It is common talk—was common. You can hear it out on the street from every other person almost.

Senator GRAY. Hear what?

Mr. EMERSON. That Wilson was connected with the opium ring, and that he was hand and glove in with Capt. Whalen, who was captain of a yacht.

Senator FRYE. A yacht used for smuggling?

Mr. EMERSON. Yes. And there were also men who had come there as smugglers and whom Mr. Wilson had handled gently. He had pounced upon Chinamen to keep up a show of maintaining the law—some little Chinamen; but the great sinners were let go.

Senator FRYE. Did those bills all pass that Legislature?

Mr. EMERSON. Yes.

Senator FRYE. By what majority?

Mr. EMERSON. I am not sure of the majority.

Senator FRYE. But they did pass, and the Queen approved them.

Mr. EMERSON. The Queen signed them.

Senator SHERMAN. In that week?

Mr. EMERSON. That week, as I remember.

Senator FRYE. And they were approved?

Mr. EMERSON. And they were approved. Protests were sent in by leading ladies of the city who had tried to stand between the Queen and temptation. We recognized her as our Queen, and we tried to stand between her and temptation. And I would like to say here that a good deal of what has been said of how the Queen was received is true. She was received in our houses. She was on the throne, and we thought we must do so, to try to keep her from evil. I went with native pastors to tell her we would support her, remember her in our prayers, and try to help her. Again and again that was done, not as a proof of her character, but to get as good a Queen as we could in the country.

Senator GRAY. How did the Queen receive you?

Mr. EMERSON. As she is very capable of receiving—in the most courteous and kindly way. And she also reciprocated our sentiments in a spirit not only enlightened but in seeming sympathy with us, as she did the ladies who waited upon her. And the very next move she made was to sign the lottery bill.

The CHAIRMAN. Was the Queen a communicant in any of the churches?

Mr. EMERSON. I think she was not a communicant in any church; she went around to different churches.

Senator GRAY. Was she an avowed Christian?

Mr. EMERSON. I think not an avowed Christian.

The CHAIRMAN. Do you mean that she adhered to the pagan ideas?

Mr. EMERSON. She received Kahunas, sorcerers, in the palace.

Senator GRAY. Do you know that of your own knowledge?

Mr. EMERSON. I know it as well as I do my own existence.

Senator GRAY. Do you know it of your own knowledge?

Mr. EMERSON. I never saw the Kahunas there; I know the man who was at her right hand sent out a proclamation for the restoration of the Kahunas. I know that man, for I have talked with him, and charged him with his wickedness.

The CHAIRMAN. Now, I want to get at this cabinet business; I speak of the Cornwell-Peterson cabinet, the last one. How long was that in existence before the revolution occurred?

Mr. EMERSON. I cannot be perfectly sure. I think the old cabinet was voted out Friday, and that cabinet was appointed the same day.

Senator FRYE. The Friday before the revolution?

Mr. EMERSON. Yes.

The CHAIRMAN. Did any of the ministers of the Wilcox-Jones cabinet join the Queen in signing any of these bills—the opium bill, the distillery bill, or the lottery bill?

Mr. EMERSON. I cannot say yes or no; but my opinion is that they stood out against it.

The CHAIRMAN. You do not know whether the later cabinet, the Cornwell Peterson cabinet, signed those measures with the Queen?

Mr. EMERSON. The later cabinet, as I understood, did support her.

Senator GRAY. The cabinet that was appointed on Friday?

Mr. EMERSON. Yes, sir; I think it was Friday.

Senator SHERMAN. The cabinet that was appointed on the 13th?

The CHAIRMAN. I understand we have a constitution of Hawaii, and I understand it is required by the constitution of Hawaii that in order that a bill may become a law after it has passed the Legislature, it is necessary that it be signed by one member of the cabinet along with the Queen? Is that the fact?

Mr. EMERSON. I can not say as to that.

The CHAIRMAN. You do not know.

Mr. EMERSON. No.

The CHAIRMAN. Before going to more particular inquiries as to your knowledge of the incidents of the revolution, I would like to ask you something about the state of the education amongst the native population in Hawaii—I mean now all the islands.

Senator FRYE. Do you mean the Kanakas?

The CHAIRMAN. Yes.

Mr. EMERSON. We have a very good system of public schools. They are taught most of them by white men or women, some coming from California and some farther east. All these teachers are not teachers such as would be classed as supporting the highest moral and religious principles, but a good many of them are fine men and women.

Senator GRAY. Do you mean that they are all white men and women?

Mr. EMERSON. Most of them.

Senator GRAY. What do you mean by "supporting the highest moral principles"?

Mr. EMERSON. I mean in certain cases charges have been brought against some. I know charges to have been brought against a teacher, and so soon as he was found guilty of immorality he was removed.

Senator GRAY. White men?

Mr. EMERSON. Yes. I know of schools that are taught by a graduate of our female seminaries.

The CHAIRMAN. I have seen it stated that every person in Hawaii and all these islands, who is above eight years of age, can read and write. Are you prepared to sustain that statement from your own observation?

Mr. EMERSON. I believe I would have to look a long while to find a single person who is over twelve years of age who can not read or write—among the natives; not the Portugese.

Senator GRAY. Among the natives of the Sandwich Islands.

Mr. EMERSON. Yes.

The CHAIRMAN. As a rule, in your pastoral intercourse among them, have you found the native Hawaiians to be an intelligent, thoughtful people? I am asking now with regard to the native population, the Kanakas.

Mr. EMERSON. I have been greatly grieved to find—speaking of my relations to them religiously—a growing increase, it seems to me, of a superstitious sentiment, and that sentiment would argue a rather low state of religious life in the churches, which I am sorry to acknowledge is the case.

The CHAIRMAN. Now, asking more particularly of practical affairs, everyday life, do you find the native Hawaiians intelligent people, susceptible to instruction; are they thoughtful or are they otherwise?

Mr. EMERSON. Well, sir, they are Polynesians, and as Polynesians, bright and intelligent as they may be, they have certain marked defects in their character.

Senator SHERMAN. How as to honesty and integrity in their dealings?

Mr. EMERSON. There are some pretty bad characters among them.

The CHAIRMAN. As a genaral rule, taking the native classes as a mass?

Mr. EMERSON. If I could institute a comparison, it seems to me that they stand a good deal on a par with the negro, although my sympathies are with them, perhaps, and my kindness is with them more than with the negro. I feel that they are very loveable, happy, and in many ways bright, interesting people.

Mr. CHAIRMAN. Kind-hearted and benevolent?

Mr. EMERSON. Kind-hearted and benevolent to a fault. But they are improvident; they are averse to labor; and if I were going to mention one thing which those Hawaiians need taken away from them, I would say that they need less government affairs and more interest in business affairs, in industry. If the brighter young men instead of itching to get into the legislature, to pose as statesmen or as speech-makers, would be more interested in getting to work and getting homes, building up homes, it would be vastly better for that people. That seems to me one of the great faults with them.

Senator SHERMAN. They are fond of office?

Mr. EMERSON. Yes, they are fond of office. They get two dollars and fifty cents a day as legislators; they think that a good deal.

Senator GRAY. But you think they need to be led by a superior class?

Mr. EMERSON. I think they need to be led by a superior class, and inevitably they will be.

The CHAIRMAN. Are they a people who are easy to be controlled, easy to be led, or are they rebellious?

Mr. EMERSON. No; they are easily led, and, being easily led, they are easily made suspicious; that is, there has been an attempt during the Kalakaua reign, after he went to the throne, to create race prejudice, and he did it after he got on the throne, although the white man was his best friend. It was so during the late revolution, since the dethronement of the Queen and before that, during the meeting of the late Legislature. There has been a constant attempt on the part of such men as Bush and Wilcox and others to stir up race feeling, and the natives in the city of Honolulu have been influenced in that way. They go with a rush, as it were, with this current, led by this bad literature, and the churches and Christian life have suffered from it.

The CHAIRMAN. You are speaking of the city of Honolulu. Does that occur throughout the islands?

Mr. EMERSON. Yes; wherever the henchmen of the Queen are, wherever there are persons subservient to her ideas, to ideas which have been inculcated into them by the city of Honolulu. Those men by their speeches have been enabled to lead the people. One of the strongest elements working against them are the Kahunas.

Senator GRAY. What are they?

Mr. EMERSON. The sorcerers.

Senator SHERMAN. The heathen?

Mr. EMERSON. They are the people who practice fetichism upon the superstitions of the people.

The CHAIRMAN. Native Hawaiians?

Mr. EMERSON. Native Hawaiians. In 1868 Kamehameha V granted licenses to these medicine men to practice according as they knew the art, according as they professed to know the art.

The CHAIRMAN. What is the art?

Mr. EMERSON. The natives are adepts in *massage*, with fetichism in the background.

Senator GRAY. Kamehameha V granted licenses according to their proficiency in the art of medicine, not the art of sorcery?

Mr. EMERSON. No; he granted licenses to them as professed sorcerers; he granted licenses to the Kahunas.

Senator GRAY. Did he grant licenses except when the applicant exhibited some proficiency in the art of medicine?

Mr. EMERSON. He granted a license to any man—I do not say to any man; but licenses were given to those who claimed to be proficient, medicine men who were called Kahunas. There is a minimum use of drugs that these men associate with their practice, and a large—a minimum of knowledge I should say; I do not know much about their use of medicine—and a large appeal to superstition. For instance, I know of one man who had——

Senator GRAY. What I want to know is, whether Kamehameha granted licenses to those men on account of their knowledge of sorcery alone or on account of some professed knowledge of medicine?

Mr. EMERSON. He granted licenses to them as men professing to have knowledge of the art of healing.

The CHAIRMAN. Are the Hawaiians—I speak generally of the native population—located in their separate homes?

Mr. EMERSON. They are more in the country than in the city. In the city there is more mixing up of home life. In the city of Honolulu it is very unfortunate; there is a good deal of that.

Senator GRAY. Of what?

Mr. EMERSON. Mixing up of home life.

The CHAIRMAN. Speaking of the country. Have the Hawaiian families habitations in which they reside as families?

Senator SHERMAN. That is, separate homes.

The CHAIRMAN. Yes, separate homes.

Mr. EMERSON. Yes.

The CHAIRMAN. Are those homes as a rule comfortable?

Mr. EMERSON. Not according to Anglo-Saxon ideas. Some of them are. For instance, in my tours through the islands I have stopped sometimes at the native man's house, the judge's house. That man gets a larger salary, and, of course, he can keep a better house, and he has some knowledge of cookery. But the vast majority of the natives' homes I would not like to state them to be comfortable.

The CHAIRMAN. Are they constructed of wood?

Mr. EMERSON. Mostly frame houses.

The CHAIRMAN. As a rule, do the natives build them themselves?

Mr. EMERSON. I think as a rule they do, perhaps those who are able to put up simple buildings such as they use.

The CHAIRMAN. Do they have fields, gardens, and orchards about them?

Mr. EMERSON. Very rarely. Now and then you will find a native man who has a garden near his house. But I will say this, that generally the native has to have a field where he can raise his rice, his taro, his potatoes; his home may be on a hill or down by the seashore. If the seashore, he is a fisherman, and his yard is a barren place.

The CHAIRMAN. The habitations are arranged to suit the particular calling in which the family is engaged?

Mr. EMERSON. Some of them have thatched houses.

The CHAIRMAN. In their domestic relations have you found them to be affectionate toward each other—peaceful?

Mr. EMERSON. I think it may be stated that they are affectionate and generally peaceful.

The CHAIRMAN. What is the tone of morality that prevails in the households, the family establishments throughout these islands?

Mr. EMERSON. Altogether there is too much of immorality—lack of chastity among the females.

The CHAIRMAN. Would you say that this is the general rule, or only the exception?

Mr. EMERSON. I fear that I have to say it is the general rule.

The CHAIRMAN. That the women are unchaste?

Mr. EMERSON. Yes.

Senator GRAY. Are they monogamists?

Mr. EMERSON. That is the law. But women will have two husbands sometimes, and a man sometimes two wives. But I will say this, that there is an element——

The CHAIRMAN. You do not say that those polygamous relations are tolerated by law?

Mr. EMERSON. No; we have a Christian law.

The CHAIRMAN. And these are transgressions of it?

Mr. EMERSON. Yes.

Senator GRAY. Monogamists are tolerated by law.

The CHAIRMAN. Yes.

Mr. EMERSON. I would like to say there is in the islands, I believe, an element which we are striving to raise up, a goodly remnant of the men and women who are mostly chaste. They are the girls in our seminaries and the young men in our boarding schools.

The CHAIRMAN. You spoke, a moment ago, of some difference between the missionary schools and the Government schools. Has the Government over there taken charge of the secular education?

Mr. EMERSON. Yes.

The CHAIRMAN. Complete charge?

Mr. EMERSON. Yes.

The CHAIRMAN. Have the missionary schools ceased to be held?

Mr. EMERSON. Oh, no; we have three girls' schools and two boys' schools besides the Kamehameha School.

Senator SHERMAN. Are they sustained by public or private contributions.

Mr. EMERSON. Private contributions.

The CHAIRMAN. Those you have just spoken of?

Mr. EMERSON. Yes.

The CHAIRMAN. Do you have a public school system beside?

Mr. EMERSON. Yes.

The CHAIRMAN. Is that sustained by taxation of the people at large?

Mr. EMERSON. Yes.

The CHAIRMAN. What sort of system is it; a good one?

Mr. EMERSON. I think there was an attempt to model it on our American system.

The CHAIRMAN. What was the result of the attempt?

Mr. EMERSON. I think it has been a great success in that country.

Senator GRAY. How long has the system been in existence there?

Mr. EMERSON. The missionaries started to teach so soon as they went there. But I understand that Richard Armstrong was the first president of the board of education. I am not sure when he became president of the board of education.

Senator GRAY. How long ago, about?

Mr. EMERSON. I should say in the neighborhood of forty years or more.

Senator GRAY. That is in addition to the general school system?

Mr. EMERSON. That was the public-school system.

Senator SHERMAN. I would like to have you tell where you were on the 14th day of January.

Mr. EMERSON. That was Saturday?

Senator SHERMAN. Yes.

Mr. EMERSON. I went to the prorogation of the legislature.

Senator SHERMAN. The legislature was dissolved that day?

Mr. EMERSON. Dissolved that day.

Senator SHERMAN. When was the first meeting of those who threatened to overthrow the Queen; when did that occur?

Mr. EMERSON. As I understand, that occurred on that Saturday afternoon.

Senator SHERMAN. Were you present?

Mr. EMERSON. I was not.

Senator SHERMAN. Did you take any part in that?

Mr. EMERSON. I did not.

Senator SHERMAN. Of whom was that composed—what class of citizens?

Mr. EMERSON. I think of those who were the merchants and the

planters of the town. It was composed of the men who were, perhaps, most largely interested in good government.

Senator SHERMAN. To what extent did the native population participate in that meeting?

Mr. EMERSON. To no extent whatever, as I understood it.

Senator SHERMAN. Was that meeting held in the evening?

Mr. EMERSON. In the afternoon.

Senator SHERMAN. Was any resolution passed at that meeting?

Mr. EMERSON. Really, I know very little of what was done, except as I have read the newspaper accounts. As I understand it, they appointed a committee of safety.

The CHAIRMAN. That is hearsay. Of course, we can get nearer to it than that.

Senator SHERMAN. Have we the proceedings of that meeting; have they been published?

Senator GRAY. Yes.

Senator SHERMAN. The proceedings of that first meeting?

The CHAIRMAN. Yes.

Senator GRAY. When the resolutions were passed.

Senator SHERMAN. What occurred on Sunday in connection with this movement, do you remember, the day following the 15th?

Mr. EMERSON. All I know is this: My brothers were interviewed. They are laymen, and they were asked to state what arms they had. My brother had two rifles, and he offered to loan one to another gentleman. And they had plenty of ammunition. This was my brother Joseph, who was with me in the house. My other brother, Dr. Emerson, mentioned that he had arms, too. And it was understood that a gentleman, a friend of ours, was making out a list of those who could rally at any time. It would seem in that city we got rather used to this sort of thing. It was worked before, in 1887; it was worked in 1889, and it was by the rallying of citizens in 1889 that the rebellion was put down. It was by the rallying of the citizens in 1887 that Kalakaua was made to accept the constitution, and it could be done again.

Senator SHERMAN. What was done that Sunday?

Mr. EMERSON. A list was gotten.

Senator SHERMAN. What occurred on Monday, the 16th?

Mr. EMERSON. I will say that during all this time there was intense feeling. We felt it in the church and felt it on the street, although the natives were quiet. You could always tell there was a good deal of feeling among white men, too. Monday morning I went down to my office. I remember being so excited. Perhaps this fact may bear a little on the situation. We have a room there where we sell Bibles and other books. My clerk was sitting there, and two other native men, and Mr. Hall came in.

Senator GRAY. Do you mean missionary men?

Mr. EMERSON. Not missionary men; they were native Hawaiians.

Senator GRAY. Aborigines?

Mr. EMERSON. Aborigines. I think there were two, my clerk, and the aborigines. I think I remember the name of one, and the other—I know his face perfectly. I do not know what his alliances were, whether he was a Queen man or not. But I will say this—the word was called out—"We are entirely through with this Queen; we will have nothing more to do with this Queen." I made the remark in the office in the presence of these natives, and I was sustained by the

white men and the natives and Mr. Hall. Such was my feeling at that time that I had no more allegiance for this Queen.

Senator SHERMAN. That was the 16th?

Mr. EMERSON. Yes, sir.

Senator SHERMAN. What day were the troops ordered there? Give the history of the event.

Mr. EMERSON. Then I went home to dinner, and in the afternoon I attended the mass meeting. Things culminated at the mass meeting.

Senator SHERMAN. That was on the 16th?

Mr. EMERSON. The 16th.

The CHAIRMAN. Where was that meeting held?

Mr. EMERSON. In the skating rink.

The CHAIRMAN. How many persons were present?

Mr. EMERSON. From a thousand to fifteen hundred. Fifteen hundred, maybe. I sat front and could not say exactly. There were considerably over a thousand.

The CHAIRMAN. Any Kanakas there?

Mr. EMERSON. My clerk came and sat with me.

The CHAIRMAN. Any others?

Mr. EMERSON. I did hear of others being there. I believe there were some half-whites there. But it was a meeting mostly of white men, white citizens. There was most intense feeling.

The CHAIRMAN. Who presided?

Mr. EMERSON. Mr. William Wilder. There was most intense feeling. Mr. Wilder opened the meeting and made a statement of why they were there. In brief, he introduced the speakers. I know Mr. Thurston was a speaker, and also a German who spoke, and there was an Englishman who spoke. There were a great many Portuguese there. I am not sure that there was a speech made in Portuguese.

The CHAIRMAN. Do you recollect what Mr. Wilder said in opening that meeting? Do you think you can recall it so that you can state it to the committee?

Mr. EMERSON. No, I can not.

Senator SHERMAN. And how soon after that were the troops landed from the *Boston?*

Mr. EMERSON. While this meeting was being held in the skating rink there was also a rally of the people who were the supporters of the palace, the Queen, in the palace square. I do not know how many were there.

The CHAIRMAN. You were not present there?

Mr. EMERSON. I was not present, although my friend, Mr. Hooes, was with me. He was a chaplain in the United States Navy. And my brother was with me. They left me to go down the street to the Palace Square, to see what was going on. I think they said some five hundred or more were there, and that there was a good deal of feeling. And so strong was the feeling that the speakers did not dare excite the populace, but felt that the time had come for them to restrain their utterances, and their utterances were quite mild afterwards—they were apologetic.

Senator SHERMAN. They were for the Queen?

Mr. EMERSON. Yes. And the feeling during all those days was that the Queen and the Queen's government had lost its grip on the situation. During the meeting held in that skating rink I did not see any man with any arms whatever. I saw no sidearms, and they were within a block and a half of the barracks. But they did not dare——

Senator GRAY. What did that meeting do other than declare against

certain acts of the Government? Did it declare openly in opposition to the Queen?

Mr. EMERSON. So openly that when Mr. Baldwin said, "Let us go by the constitutional methods," they cried out, "No, no." And as I remember it the statement was made, "We have no more use for the Queen," or words to that effect.

Senator GRAY. Who made that statement?

Mr. EMERSON. I could not tell you.

Senator GRAY. Were resolutions passed other than those denouncing certain acts of the Government which the meeting disapproved?

Mr. EMERSON. As I understand it the committee was empowered to go forward and act.

Senator SHERMAN. Follow that. How soon after that meeting closed was it that the troops were landed from the *Boston*?

Mr. EMERSON. My first knowledge of the landing of the troops from the *Boston* was when I went down the street.

Senator SHERMAN. The same day?

Mr. EMERSON. The same day; oh, yes, sir. It was after that meeting. I went to my home, and my brother and I went to Rev. Mr. Bishop's home. We knew there must be a good deal of feeling around. I said, "How about to-night; are they not going to patrol?" Mr. Bishop said, "The United States marines have been landed, so that there will be quiet observed."

Senator SHERMAN. Were the marines landed before the close of the meeting?

Mr. EMERSON. No.

Senator SHERMAN. They were not?

Mr. EMERSON. Oh, no; an hour or two afterwards.

Senator GRAY. Did you see any of the marines there?

Mr. EMERSON. I did not.

Senator GRAY. Then how did you know they were landed.

Mr. EMERSON. I was told by Mr. Bishop.

Senator SHERMAN. At what hour was the meeting held?

Mr. EMERSON. I think it was after 2 o'clock that we met.

Senator SHERMAN. Were there, so far as you know, any organized armed forces on either side at the time, during the holding of this meeting?

Mr. EMERSON. I know of none. I know of no armed forces that were in sight.

Senator SHERMAN. Did you know or hear of any that were in existence ready to fight during the time the meeting was going on? You say there was a meeting of both sides.

Mr. EMERSON. I had no knowledge of any forces that were at that time anywhere in sight, although that night—I will not say that night—I had the feeling that there were men in the city not only by the score, but certainly over a hundred.

Senator SHERMAN. You say that the day before they made a list of their strength.

Mr. EMERSON. Hundreds who would have risen had there been an emergency.

Senator SHERMAN. But you saw no armed troops in the streets?

Mr. EMERSON. No; my brother was ready at any time to take his gun and go.

The CHAIRMAN. At the time of the holding of the meeting of these citizens, both at the skating rink and at the palace grounds, the Queen had her army?

Mr. EMERSON. Yes. The barracks were a block and a half away.

The CHAIRMAN. How many were in that army?

Mr. EMERSON. She was granted payment for only 60 or 70.

The CHAIRMAN. In addition to that was there a police force?

Mr. EMERSON. There was a police force. I do not know how large, but I have heard say there were 80 in the station house.

The CHAIRMAN. Were both of these forces, the civil and military forces, under the command of the same person?

Mr. EMERSON. No.

The CHAIRMAN. Under the command of different persons?

Mr. EMERSON. Yes.

The CHAIRMAN. Who commanded the military force?

Mr. EMERSON. Capt. Nowlein. I am not sure about that.

The CHAIRMAN. Who commanded the civil force, the police force?

Mr. EMERSON. As I understand, Mr. Wilson, the marshal, was at the head of the police.

The CHAIRMAN. Did they occupy the same quarters or different?

Mr. EMERSON. They were nearly a mile apart.

The CHAIRMAN. You saw nothing of the police force as a body or the military force as a body at either of these meetings?

Mr. EMERSON. No.

The CHAIRMAN. Did you see them on the street that evening in military array?

Mr. EMERSON. No. There was a remarkable——

The CHAIRMAN. There was then no exhibition of military force, nor exhibition of police force?

Senator GRAY. Let Mr. Emerson finish his sentence.

Mr. EMERSON. There was a great hush about the streets.

Senator GRAY. You were going to say remarkable.

Mr. EMERSON. There was an unusual aspect in the condition of things.

Senator GRAY. You were going to say remarkably quiet?

Mr. EMERSON. There was a particularly peculiar hush; yes.

The CHAIRMAN. During that afternoon or evening you saw no military or police force in bodies under their appropriate officer?

Mr. EMERSON. No.

The CHAIRMAN. No display of that kind?

Mr. EMERSON. No.

The CHAIRMAN. After the troops came in from the ship—the marines came in from the *Boston*, where did they go?

Mr. EMERSON. This, of course, I got from reports.

The CHAIRMAN. You need not speak of anything but what you yourself know.

Mr. EMERSON. I know this much—that company went up to Mr. Atherton's house. One went to the consul's; I saw them there. One went to the minister's residence.

Senator GRAY. Did they stay there?

Mr. EMERSON. Some twenty-five or so stayed with the consul.

Senator GRAY. All night?

Mr. EMERSON. Yes. And another company, as I understand it, stayed at the minister's residence. I saw tents pitched there for them.

Senator GRAY. Did you see men in them?

Mr. EMERSON. Yes. And at Mr. Atherton's there was no place for them to stay; there being no place, they were removed.

Senator GRAY. That evening?

Mr. EMERSON. That evening; yes.

Senator SHERMAN. Who is Mr. Atherton.

Mr. EMERSON. He is one of our leading financiers, a wealthy man.

Senator SHERMAN. He is not an officer of the Government?

Mr. EMERSON. No.

The CHAIRMAN. A gentleman from Hawaii, Mr. Carter, sent me a blue print of the city of Honolulu, at least parts of it. I want you to look over that and see if the locations of the different houses correspond with your knowledge of the facts (exhibiting diagram).

Mr EMERSON (examining). This is about the same as the diagram that I made out for myself; a smaller one.

The CHAIRMAN. Are you prepared to say whether that is a correct drawing of the place?

Mr. EMERSON [indicating on the diagram]. There is Mr. Atherton's house. There is the skating rink. That is the place where the mass meeting was held. There are the barracks around the corner. This was all open there, the Queen's military barracks. This is the palace, where the Queen was, the Government building, and that is the opera house, and this Arion Hall.

Senator GRAY. In this Government house beside are the chambers of the Government officers?

Mr. EMERSON. In fact, the treasury. All the archives are there.

Senator SHERMAN. Where did our soldiers stand—there [indicating] or here [indicating].

Mr. EMERSON. No; here [indicating]. The United States marines—I did not see them stand in arms, as stated. I remember going there. I saw no marines, no guns trained on the palace.

Senator SHERMAN. Behind that building? [Indicating.]

Mr. EMERSON. Yes; here [indicating] is the yard where they had the tent.

Senator SHERMAN. That is the opera house? [Indicating.]

Mr. EMERSON. Yes.

The CHAIRMAN. Where did those marines land?

Mr. EMERSON. As I understand, they landed down on the wharf, about there [indicating].

Senator GRAY. Not by the custom-house?

Mr. EMERSON. No; they landed down here [indicating].

Senator SHERMAN. King street seems to be the leading street?

Mr. EMERSON. Yes. Merchant street—I think they usually landed about there; it may be they landed there [indicating].

Senator SHERMAN. On what street did they go toward the palace?

Mr. EMERSON. I did not see them go up. But here [indicating] is the consulate. Probably they would go right up this street here [indicating] and up there [indicating]; or a squad might go up Nuuanu street to the legation; another squad to the consulate; another squad up Merchant street to Mr. Atherton's, and then back again to Arion Hall. There [indicating] is the police station, within a block, just across the street, where Mr. Smith's committee of safety met—right under the nose of the police station.

The CHAIRMAN. Show me the building on which the flag of the United States was raised.

Mr. EMERSON. Iolani Palace.

The CHAIRMAN. When was it first raised?

Mr. EMERSON. I think it was about two weeks after the landing of the marines that I saw it.

The CHAIRMAN. Two weeks after the landing of the marines?

Mr. EMERSON. Yes.

The CHAIRMAN. Before the flag was raised at all?

Mr. EMERSON. Yes.

The CHAIRMAN. Where were the troops at the time that flag was raised?

Mr. EMERSON. They were quartered right here at Camp Boston.

The CHAIRMAN. Where was the minister of the United States residing at the time that flag was raised over the Aliolani Hall?

Mr. EMERSON. Right there [indicating].

The CHAIRMAN. Is that the palace usually occupied by the Queen?

Mr. EMERSON. The court has been at Iolani Palace.

Senator SHERMAN. Is the Queen's home within the bounds of the city?

Mr. EMERSON. Yes; the home is right there [indicating].

Senator GRAY. Not the palace, but the Queen's home.

Mr. EMERSON. Yes.

Senator SHERMAN. I supposed it was out some distance.

Mr. EMERSON. No.

The CHAIRMAN. Mark where the Queen's home is.

Mr. EMERSON. Right there [marking].

The CHAIRMAN. You say you did not see the United States flag until two weeks after the landing of the marines?

Mr. EMERSON. That or ten days. I can not say how long; but it was considerably later.

The CHAIRMAN. Were these troops that you saw quartered in this open park accompanied with a flag?

Mr. EMERSON. I think the flag of the United States was with each squad. Camp Boston was there [indicating].

Senator GRAY. Was that where they were Friday night?

Mr. EMERSON. Not Friday night.

Senator GRAY. Monday night?

Mr. EMERSON. Yes.

The CHAIRMAN. Was this flag raised over Aliolani Hall?

Mr. EMERSON. Not until two weeks after.

The CHAIRMAN. And they made their camp there?

Mr. EMERSON. Yes.

The CHAIRMAN. And in the meantime the Queen had retired to her private home?

Mr. EMERSON. Yes. She retired Wednesday. The home has always been kept open.

The CHAIRMAN. Were you present when the flag was raised there?

Mr. EMERSON. No.

The CHAIRMAN. Of course you know nothing about the orders on which it was done?

Mr. EMERSON. No.

The CHAIRMAN. Are you pretty certain it was as much as two weeks after the landing of the marines before that flag was raised on Aliolani Hall.

Senator SHERMAN. He said seven or ten days.

Mr. EMERSON. I said in the neighborhood of ten days.

The CHAIRMAN. If there had been a flag raised on these buildings prior to that time, would you have seen it?

Mr. EMERSON. I certainly would have seen it. There was a flag on the consulate and a great many flags in the street; on private houses they had American flags flying; but over the Government buildings I did not see it until some time afterwards.

The CHAIRMAN. Was any Hawaiian flag flying at any time?

Mr. EMERSON. I think the flag on the Government building was raised and kept up, the two together.

The CHAIRMAN. You think the two together?

Mr. EMERSON. Yes.

The CHAIRMAN. Are you certain of that?

Mr. EMERSON. I am sure of that—so sure that it was a matter of talk.

Senator SHERMAN. That Hawaii and the United States were in partnership?

Mr. EMERSON. Yes.

Senator GRAY. Do you mean the flags were on the same staff?

Mr. EMERSON. I think not on the same staff. I am not sure about that. I think on different staffs.

The CHAIRMAN. You spoke of the Government building. That is different from Iolani Palace?

Mr. EMERSON. I do not know whether they had two staffs there or not. But on the Government building I saw the two flags waving together.

The CHAIRMAN. What time was the flag raised on the Government building?

Mr. EMERSON. I think the same time it was raised on Iolani Palace.

The CHAIRMAN. You do not remember to have seen the flag of the United States on the Government building until you saw it on Iolani Palace.

Mr. EMERSON. No. I am not sure of two flags on Iolani Palace.

The CHAIRMAN. You saw on the Government building two, on Iolani Palace only one?

Mr. EMERSON. I am not sure about that.

Senator GRAY. What was the opium bill of which you spoke awhile ago, the one which was passed by the Legislature, and which was so objectionable to some of the good people of Honolulu.

Mr. EMERSON. I can speak only in general terms of it; it was a bill regulating the sale of opium.

Senator GRAY. Did you ever read it?

Mr. EMERSON. I think I have read it; I am not sure; I have seen it in the papers, the bills as they are published from time to time.

Senator GRAY. Can you recollect what the provisions of it were?

Mr. EMERSON. No.

Senator GRAY. You say that prior to the passage of that bill there had been a bitter complaint about what was called the existence of an opium ring, that smuggled opium into the islands?

Mr. EMERSON. Yes.

Senator GRAY. Was the importation absolutely prohibited—I mean prior to the passage of the bill?

Mr. EMERSON. I can not say just what the law was in regard to that; but as I understand it there was—my impression is it was to be used in certain ways as a drug.

Senator GRAY. I want to know if you know.

Mr. EMERSON. I would rather say I do not know.

Senator GRAY. You say you do not know whether you read that bill or not. Do you know whether the bill that passed provided for the licensing of the sale of opium under Government regulation?

Mr. EMERSON. According to my recollection that was the nature of the bill—Government regulation of the sale.

Senator GRAY. What was the lottery bill?

Mr. EMERSON. I was in the Legislature when that bill was passed.

The CHAIRMAN. Were you a member of the Legislature?

Mr. EMERSON. No; I beg pardon, I was attending.

Senator GRAY. In the chamber?

Mr. EMERSON. I was in the chamber and saw the vote taken and heard the bill read. I can not state just the nature of the bill; but it was a bill that granted a franchise to a certain number of persons to establish a lottery in that country.

Senator GRAY. For what purpose; did it state?

Mr. EMERSON. As I understood it it was for their own ——

Senator GRAY. To raise revenue?

Mr. EMERSON. Five hundred thousand dollars was offered the Government and an annuity. Then there was a rider put on by Mr. Thurston and Mr. Smith, the last thing before it passed, to the effect that $125,000—that there must be a certain putting down of that money, a deposit made to the extent of $125,000, before this body could operate. The idea was to stave off any attempt to do the thing unless the Louisiana lottery would take hold. They did not want the Louisiana lottery, and it would not be there unless the Louisiana lottery would take hold, and the question was whether the Louisiana lottery would take hold.

Senator GRAY. And they wanted a deposit of actual money?

Mr. EMERSON. Yes. The feeling was to hamper the bill as much as possible.

Senator GRAY. That rider was put on by the enemies of the bill?

Mr. EMERSON. Yes.

Senator SHERMAN. Does gambling prevail among the natives of Hawaii?

Mr. EMERSON. I am sorry to say that it does to a large extent. The natives are led into it by Chinamen and by—I will say chiefly by Chinamen.

Senator GRAY. Participated in by whites at all?

Mr. EMERSON. I think the whites have their own way of gambling. I do not think they go to these little stalls and buy checks and gamble. It is the Chinese *chefa* game.

Senator GRAY. The Chinese have a distinct system of gambling of of their own?

Mr. EMERSON. That is the system that appeals to the natives.

Senator GRAY. Is there any gambling among the whites?

Mr. EMERSON. I suppose there is considerable. There is a certain class of whites which was associated with the Kalakauan throne.

Senator GRAY. I have been very much interested in the account you gave of the native population, of their disposition and habits and education. You say it would be very difficult, as I understood you, to find a person over 12 years of age who could not read and write?

Mr. EMERSON. I think it would be very difficult among the natives.

Senator GRAY. Do you think those people capable of self-government as we understand it here?

Mr. EMERSON. I can not answer that categorically; I must qualify it by saying this: The Hawaiians are in the hands of two parties; one party makes for righteousness and the other for spoils.

Senator GRAY. Do you think they are themselves capable of originating or maintaining popular self-government?

Mr. EMERSON. I think with their environment they can not do it.

Senator SHERMAN. I believe we have statistics here among the papers showing the increase among the Portuguese and the decline of the Hawaiians.

Senator FRYE. Yes.

The CHAIRMAN. The Portuguese go there by importation.

Mr. EMERSON. I think the agent went to the Azores and negotiated for certain laborers. They come from the islands.

Senator SHERMAN. Are they not a good deal mixed; is there not a mixture of Portugese and other Indian blood?

Mr. EMERSON. In some there is a mixture. I do not just know the situation in the Madeira or the group of the Azores Islands.

Senator GRAY. Are they not classed as such?

Mr. EMERSON. We class them as European.

The CHAIRMAN. In coming to Hawaii, do they bring their families?

Mr. EMERSON. Many of them do.

The CHAIRMAN. And establish homes?

Mr. EMERSON. Some of them are most industrious and thrifty.

The CHAIRMAN. In establishing homes?

Mr. EMERSON. Yes.

The CHAIRMAN. They represent a good industrious element?

Mr. EMERSON. We think it is a great gain.

The CHAIRMAN. Are they difficult to control?

Mr. EMERSON. We do not think so.

The CHAIRMAN. I mean in their general demeanor in the community?

Mr. EMERSON. I do not think so. They are a peaceful people.

Senator GRAY. Do they maintain their language or speak the Hawaiian?

Mr. EMERSON. They speak Portuguese.

The CHAIRMAN. Are they members of any church?

Mr. EMERSON. They are mostly Roman Catholics; but most of them are prejudiced against the Jesuits. And my experience has been in the mission work that they are not very bigoted or under the control of the priests. They have no priests of their nationality there. There was no preaching in Portuguese until we introduced a preacher, and then they introduced one.

The CHAIRMAN. Do the Portuguese build Catholic churches?

Mr. EMERSON. No. I do not think they have separate churches. We have two among the Portuguese.

Senator GRAY. Missions among the Portuguese?

Mr. EMERSON. Yes.

Senator GRAY. To convert them from Romanism?

Mr. EMERSON. No. There was the nucleus of a protestant element. We have a school in our mission in Honolulu. We have a gentleman and three ladies who have worked with him, and they have a day and night school, a kindergarten, and a good many children of Roman Catholic Portuguese go there to attend our schools. Our intention is to give them a biblical Christianity; it is not proselyting. One family after another has come over to express their adherence.

Senator GRAY. Does the Catholic mission have churches?

Mr. EMERSON. It has its cathedral and out stations and its priests.

The CHAIRMAN. When these Portuguese arrive do they go on the sugar plantations in the country or stop in the town?

Mr. EMERSON. Those who come as contract laborers have to go on the sugar plantation. I do not think many are brought now as contract laborers.

The CHAIRMAN. So that you regard them as a peaceful element of society?

Mr. EMERSON. I will answer in this way: My two brothers are conducting a Sabbath school in connection with this mission, and they have more interest in the Portuguese work than in the Hawaiian work

because they seem to think they have something to build up. And what they say has much truth in it. One of the elements of the islands is the element represented by the Portuguese people.

The CHAIRMAN. Are the Portuguese entitled to vote under the constitution?

Mr. EMERSON. Yes.

The CHAIRMAN. Being Europeans?

Mr. EMERSON. Yes.

The CHAIRMAN. They are entitled to that privilege in Hawaii without changing their nationality, without renouncing their allegiance to the foreign government?

Mr. EMERSON. I think all Europeans, Germans and all, who are domiciled in the land under certain conditions. I can not tell you the conditions that permit them to vote. While considering themselves American citizens, some of the white men have voted. They vote and act as citizens of that land.

The CHAIRMAN. Retaining their citizenship in their native land, they are permitted to vote in Hawaii under the constitution of 1887?

Mr. EMERSON. As I understand it. I do not know just what relations the Portuguese Government permits.

The CHAIRMAN. When the Japanese come to Hawaii do they bring their families?

Mr. EMERSON. I am sorry to say that the Japanese come there rather too promiscuously. Some of them are married men; but they tire of one wife and take another.

The CHAIRMAN. The Japanese, if I understand you correctly, are introduced into Hawaii by an agreement between the two governments?

Mr. EMERSON. Yes.

The CHAIRMAN. Do the overseers, controllers of these Japanese, come along from Japan?

Mr. EMERSON. There is an agent, a Mr. Irwin, who ships them from Japan. Of course, there are interpreters, men who go there to bring them over; just how, I could not say.

The CHAIRMAN. Mr. Irwin is the agent of the Hawaiian Government?

Mr. EMERSON. Yes.

The CHAIRMAN. And he resides in Japan?

Mr. EMERSON. Yes.

The CHAIRMAN. And he sends out these Japanese to Hawaii?

Mr. EMERSON. Yes.

The CHAIRMAN. They come under a contract between the two governments?

Mr. EMERSON. Yes.

The CHAIRMAN. Do they establish homes when they get there?

Mr. EMERSON. The Japanese are rather apt to be migratory. Now and then a bright, intelligent Japanese man will get a store. There are certain young men in Honolulu who are establishing stores in the city, and also the members of the legation. Rarely you will find one who is married; they are young men. Their prospects in the island are good, but most of the laborers return.

The CHAIRMAN. They come under a contract to return, do they not?

Mr. EMERSON. I believe they do. I suppose there is a contract to return.

The CHAIRMAN. The Chinese who come to Hawaii, are they brought

under an arrangement with the Government of China or do they come of their own accord?

Mr. EMERSON. In regard to these Government contracts, my knowledge is that as to the immigration of the Chinese they are limited, as in the case of the Japanese. As I understand it, there is a limitation upon their coming.

The CHAIRMAN. Do you mean that a certain number may come within a year?

Mr. EMERSON. I can not say just what it is.

The CHAIRMAN. When the Chinese arrive there, do they bring their families with them?

Mr. EMERSON. I know this, the Chinamen are sending to China often for wives. My cook said, "Mr. Emerson, if you will lend me $200 I can get a wife."

The CHAIRMAN. In what kind of service are the Chinese employed in Hawaii?

Mr. EMERSON. The chief service is to their own people, rice planters.

Senator SHERMAN. And sugar planters?

Mr. EMERSON. There are not so many working the sugar plantations. Then there are cooks in the cities.

Senator GRAY. Domestic servants?

Mr. EMERSON. Domestic servants.

The CHAIRMAN. Have the Chinamen ownership over the lands where they raise rice?

Mr. EMERSON. I think it is mostly rented land.

The CHAIRMAN. But they have farming establishments?

Mr. EMERSON. Yes.

The CHAIRMAN. And they are engaged mainly in the raising of rice?

Mr. EMERSON. The Chinaman, I think, is quite an item in Hawaii, so far as his labors are concerned. There are quite a number of children (descendants of Chinamen are numerous); they are given to marrying native wives, native women.

The CHAIRMAN. How is the native population, the Kanakas, related to these different people—the Portuguese, Japanese, and Chinese? Are they friendly?

Mr. EMERSON. Friendly with anybody. A Chinaman can ingratiate himself into the native's house. He will say, "You put up a building, and I will give you a certain rent." The Chinaman will run a store and pay the rent, and the native will live off it. The Chinaman will go into the country and say, "I will take your patch off your hand and plant the patch;" and the Hawaiian rents to the Chinaman, and he makes money off it. It is a very great misfortune that the Hawaiian is being worked out of his independence by this race. He needs protection.

The CHAIRMAN. Do the native Kanaka women intermarry with the Japanese, Chinese, and Portuguese?

Mr. EMERSON. I do not think the Japanese and Portuguese do. I think there are quite a number of Portuguese women there; there are certainly more Portuguese women than Chinese women. The Chinese are most apt to marry the natives.

The CHAIRMAN. The native woman has no fastidiousness with regard to marriage—she will marry a Japanese, a Chinese, or a Portuguese?

Mr. EMERSON. I think not, if she get a chance to marry a Chinese or Portuguese.

Senator GRAY. Does she ever marry a white man?

Mr. EMERSON. When they can not get white husbands.

Senator GRAY. Is there the same antipathy between the white race and the Hawaiian in Hawaii as between the white and the negro in this country?

Mr. EMERSON. I think not. The Hawaiian is to be amalgamated and a new race is to be formed there.

Senator SHERMAN. Some of the royal family married Englishmen—some of the highest families of Hawaii.

Mr. EMERSON. Yes. Queen Emma's father was an Englishman, married to a native princess. Bernice Pauahi married Mr. Bishop, a banker. Likelike, who is dead, married Mr. Cleghorn. Mr. Dominis married the present Queen.

Senator SHERMAN. He was an Englishman?

Mr. EMERSON. I do not know.

Senator SHERMAN. He was not an Hawaiian?

Mr. EMERSON. No; he was a foreigner. There is a little too much mingling between the natives and the foreigners.

Senator FRYE. Did not our secretary of legation marry a native?

Mr. EMERSON. You mean the secretary of legation, Hastings? No; he married a pure white.

The CHAIRMAN. Then, I understand you, it is the belief or expectation that the population in Hawaii will change, so that the Kanaka will disappear ultimately and there will be an intermingling of the native element there of the various nationalities that come from other countries.

Mr. EMERSON. Yes; he will disappear, and will take on a little different personality.

The CHAIRMAN. Disappear from the pure native?

Mr. EMERSON. I think it will ultimately work that way. Of course, for many years to come there will be pure-blooded natives.

The CHAIRMAN. I will ask if it is your opinion that the native population of Hawaii, the Kanakas, in view of the facts you have stated, are liable to become so powerful in government as to be able to control the other nationalities that have come into those islands, or have they lost the power to rule them?

Mr. EMERSON. I consider that they have lost that control already, and in my opinion they can never regain it.

The CHAIRMAN. From your acquaintance with the white element there, European or American, is there a disposition on the part of the white man to sustain whatever is good and virtuous in the native character, or is there a disposition to trample it under foot—crush it out?

Mr. EMERSON. There are two classes out there quite distinctly marked. My plea is for the native Hawaiian; we must see to it that he get out of the hands of the man who would make gain of him and use him as his cat's-paw, and let him be governed by those who will work for his best interests, and help him to be all the man he can become.

The CHAIRMAN. Suppose such a thing as a Kanakan government, beginning with the Queen and going through all the different offices of the monarchy, where the right of voting would be confined to the natives, and where the right to make laws and execute them would be with them, do you believe that that native population has a political strength and power sufficient to enable it to control those islands under those conditions?

Mr. EMERSON. No. There are certainly 36,000 Asiatics that they could not control—36,000 adult male Asiatics. Ten thousand Hawaiians could not control them.

The CHAIRMAN. Would they be received kindly by the white population in the islands?

Mr. EMERSON. No, because of the fact that the natives themselves are in two camps, so to speak. There is an element there, making for righteousness and an element making for heathenism.

The CHAIRMAN. Is the latter spreading?

Mr. EMERSON. Spreading? It is like an ulcer eating right into the vitals. And the court was the center of that influence.

The CHAIRMAN. The influence that tends to depravity?

Mr. EMERSON. That tends to depravity. Not only Kalakaua with his opium franchises, but the Queen herself with her opium bill. And the best natives in the Legislature felt that she was willing to sell the lives of her people.

Senator GRAY. Do you think there are two elements among the white people?

Mr. EMERSON. Yes.

Senator GRAY. One bends toward gain and the other is for virtue?

Mr. EMERSON. Yes.

The Chairman. Which is the better element?

Mr. EMERSON. I believe the element that makes for righteousness is represented by the Provisional Government; although I will say that every government gathers around it people who are worthy and some who are not worthy. But I believe the most worthy elements are there. I will say this: I can take up my annual report and read names, and you will hardly find a name on that list that has contributed to the missionary work——

The CHAIRMAN. You are speaking of the religious part of the subject?

Mr. EMERSON. That indirectly shows the character of the man.

The CHAIRMAN. I am not speaking of that; I am speaking more particularly of the political aspect of the question. My questions are directed to that proposition. I understand that much the larger portion of the wealth of Hawaii is owned by white men, Europeans, Americans, and natives who are white, and that that class of people, if I understand you correctly, is in favor of making the Kanakas, the native population, all that can be made of them by moral, religious, and educational training?

Mr. EMERSON. I think I can give you an instance. W. O. Smith is the attorney-general, one of the leading men in the Government. His brother has given $12,000 to establish a girl's school—impoverished himself—and his only sister is chief of that school. They had to dismiss the principal. They are giving their lives to the Hawaiians.

The CHAIRMAN. There were five Kamehamehas, representing in succession the political government of Hawaii.

Mr. EMERSON. There was one, Lunalilo, who was connected with the Kamehameha dynasty. He makes the sixth.

The CHAIRMAN. There were five Kamehamehas and Lunalilo, who was of the royal descent?

Mr. EMERSON. Not direct royal descent, but collateral.

The CHAIRMAN. From another family, and they constitute the six succeeding monarchs in Hawaii?

Mr. EMERSON. Yes. And Kalakaua was the last.

The CHAIRMAN. And with Lunalilo expired the royal blood?

Mr. EMERSON. Yes. And one remains, who is a drunkard, Kumerankea. He can never come to the throne.

The CHAIRMAN. During the reign of the Kamehamehas, commencing

with the second or third, according to my recollection of the chronology, the King began introducing the missionaries into his cabinet, his council?

Mr. EMERSON. Kamehameha III.

The CHAIRMAN. Yes, one of them remained there a long while as chief of a department of the Government.

Mr. EMERSON. Yes, they resigned their missionary relations.

The CHAIRMAN. They gave up their missionary relations and became chiefs of the Government?

Mr. EMERSON. Yes.

The CHAIRMAN. During all the time of the existence of these monarchs, these Kings, was there any want of confidence between the monarch and the white element? When I speak of the white element, I mean those who are in favor of good government and religion. Was there any conflict between these Kamehamehas, or Lunalilo, and the white missionaries, and those persons who where associated with them?

Mr. EMERSON. I think there was no conflict except on moral points. The missionaries were their most stanch supporters—loyal subjects.

The CHAIRMAN. I want to know whether there was harmony of action between the Hawaiians and Kamehamehas and Lunalilo during their respective reigns.

Mr. EMERSON. Yes.

The CHAIRMAN. Then it was later that the controversy arose between the Crown and the missionary or white element?

Mr. EMERSON. Yes.

The CHAIRMAN. It arose then, as I understand it, during the reign of Kalakaua?

Mr. EMERSON. Kamehameha V proclaimed a more autocratic constitution. He was criticised. We felt that he was somewhat of a heathen. In 1868 he granted these licenses to the native sorcerers. We felt that he was a man of great force of will. We felt that he was rather introducing heathen elements. Although he was not squarely, flatly against the missionaries, yet they were not so much in sympathy wtih him as they were with Kamehameha III and Kamehameha IV.

The CHAIRMAN. Kamehameha V gave the new constitution?

Mr. EMERSON. Yes.

The CHAIRMAN. When Kalakaua was put on the throne, was there any change?

Mr. EMERSON. No.

The CHAIRMAN. It was when Kalakaua was chosen king that the constitution of 1864 was changed?

Mr. EMERSON. The *coup d'etat* of Kamehameha V was in 1864, and that constitution continued until 1887.

The CHAIRMAN. The point I was trying to get at is this, whether the first political disturbance between the white element and the monarchy was during the reign of Kalakaua.

Mr. EMERSON. Yes.

The CHAIRMAN. And from that time to this it has been more or less turbulent?

Mr. EMERSON. Yes.

The CHAIRMAN. And this present revolution is the fruit or result of political movements that took place in the beginning of the reign of Kalakaua?

Mr. EMERSON. Yes.

The CHAIRMAN. And not before?

Mr. EMERSON. I think not before. In 1854 I believe there was talk

of a change of government. That was because of certain difficulties that the King had with foreign relations, not internal relations, as I understand it.

The CHAIRMAN. During all this period of time has there been, within your knowledge or belief, according to your understanding, a party of white people existing in Hawaii for the purpose of annexing Hawaii to the United States?

Mr. EMERSON. I think there has been, during the latter part of the reign of Kalakaua. I think there were people who looked to ultimate annexation.

The CHAIRMAN. Was that because of designs on their part to overthrow the Government and force annexation, or because they were despairing of the power of the native element to rule?

Mr. EMERSON. I think the feeling was this: "Just so long as the present Government continues, let us be loyal to that." I think that was the feeling of these men who finally achieved the revolution.

The CHAIRMAN. They had been anticipating the fall of the dynasty?

Mr. EMERSON. Yes. Some felt that Kalakaua ought to be the last. That was the feeling of a great many.

The CHAIRMAN. Anticipating the fall of the Hawaiian dynasty—the monarchy?

Mr. EMERSON. Yes.

The CHAIRMAN. And that led to the expectation—an earnest one—and hope that the result would be that the Hawaiian Islands would be annexed to the United States?

Mr. EMERSON. Coupled with that anticipation of the downfall of the dynasty, was the wasting away of the Hawaiian people, ceasing to be the dominant people.

The CHAIRMAN. That is what you have been looking to all the time?

Mr. EMERSON. Yes.

Senator GRAY. You think there was a distinct party there called the annexation party, or that the policy of annexation was approved by some people?

Mr. EMERSON. I do not know of a distinct party that was crystalized, but there was that talk.

The CHAIRMAN. What was the sentiment that you gathered from your association with the people over there, in the event that the Hawaiian monarchy is to perish; whether those people would prefer to place themselves within the protection of the United States or Great Britain, or Germany, or France, or Japan, or any other place?

Mr. EMERSON. So far as I have talked with my friends (and they put a good many questions to me in regard to this matter), I feel that they prize above all other things annexation to this country, that is, under the situation, seeing that they can not carry things themselves. The Hawaiian would prefer to have the prominence which he has lost. But that he can never regain, and my sentiment is, and so far as I have talked with them I have so expressed it, that they should get as near to the United States as they can, saying, "You will then have as fully as you can your rights of suffrage."

Senator GRAY. Prior to that emeute of Saturday, when trouble commenced, was a majority of the people of Hawaii opposing the Queen and in favor of annexing Hawaii to the United States?

Mr. EMERSON. Oh, no.

The CHAIRMAN. You mean all the people?

Senator GRAY. All the people. Was a majority of the people opposing the Queen, and in favor of annexation to the United States? You say, "Oh, no."

Mr. EMERSON. Yes.

The CHAIRMAN. Suppose it had been left to the vote of the Kanakas?

Mr. EMERSON. If it had been left to the vote of those thirteen thousand, I think the natives, seeing their Queen there, would have felt like supporting her.

Senator GRAY. What would the majority of those voters have done at the time?

Mr. EMERSON. I think the majority would have voted in favor of a continuance of the Queen's Government.

The CHAIRMAN. Do you include the Portuguese in that?

Mr. EMERSON. No; they are opposed to the Queen and in favor of the Provisional Government.

The CHAIRMAN. That is one element. And the Germans?

Mr. EMERSON. The Germans, one portion, the intelligent portion—I should say that the vast majority of the Europeans were in favor of a change of the government and annexation to the United States Government, leaving out a few English. A few English prefer English institutions. Leaving out that party—the English minister, Minister Woodhouse, has marriage relations with the late court.

Senator GRAY. If the power in that country resided in those who had the right to vote, and that I take for granted—you understand what I mean——

Mr. EMERSON. I can say that here were 8,000 native votes——

Senator GRAY. I am willing to hear you when you shall have answered my question. Understand me first. The political power there under the existing state of things was vested with those 13,000 people who voted?

Mr. EMERSON. Under the law.

Senator GRAY. Was not that necessarily so?

Mr. EMERSON. Yes, just so far as the vote would go.

Senator GRAY. Those who were elected to the Legislature were elected by the voting population?

Mr. EMERSON. I grant that, so far as the vote would go.

Senator GRAY. I ask you whether or not a majority of those 13,000 legal voters was for or against this revolution?

Mr. EMERSON. A majority was against the revolution, I have no doubt.

The CHAIRMAN. That majority would comprise how many Hawaiian voters, how many native Kanakas?

Mr. EMERSON. I think there are about 8,000 native voters.

The CHAIRMAN. Would you count them solidly against annexation?

Mr. EMERSON. No. Let me make this statement, which I think a fair statement to make right here. The people there are instruments in the hands of these two parties. In the island of Kauai, for example, the native mind is influenced by the stronger mind, and the Queen does not have so much power.

The CHAIRMAN. The native is influenced by his employer?

Mr. EMERSON. Yes. They do not care so much; they do not feel the interest.

The CHAIRMAN. You think there would be a decided majority of what we call the Kanaka element against annexation?

Mr. EMERSON. Yes.

The CHAIRMAN. And be in favor of retaining their Queen?

Mr. EMERSON. I will not say that now.

The CHAIRMAN. And would have voted in favor of retaining the royal government?

Mr. EMERSON. Yes.

The CHAIRMAN. Now that the royal government has disappeared, how do you think the native voters would cast their votes on the subject of annexation?

Mr. EMERSON. I believe they would vote for it, in favor of it.

The CHAIRMAN. The Queen having disappeared?

Mr. EMERSON. Yes.

The CHAIRMAN. Now we come to the Portuguese. They comprise about how many voters?

Mr. EMERSON. I can not give you figures. There are some 11,000 Portuguese in all, and there were some 1,500 or 2,000 Portuguese voters.

The CHAIRMAN. What would be the prevailing sentiment among the Portuguese as to a maintenance of the monarchy or the establishment of a republican form of government?

Mr. EMERSON. It would be very hard to find a single Portuguese who would vote for monarchy.

The CHAIRMAN. You think it would be solidly against monarchy?

Mr. EMERSON. Yes.

The CHAIRMAN. And then, monarchy having disappeared, how about annexation?

Mr. EMERSON. In favor of annexation to this country.

The CHAIRMAN. Then, of the German, the French, and the English who are there: What would be the sentiment among the Europeans on the subject of maintaining the monarchy or some other form of government?

Mr. EMERSON. A vast majority of the Americans, a vast majority of the Germans, and a goodly portion of the English and Scotch——

The CHAIRMAN. Would be in favor of having some other form of government than monarchy?

Mr. EMERSON. Yes.

The CHAIRMAN. And do you include in your opinion annexation?

Mr. EMERSON. Yes; closer relations to this country.

The CHAIRMAN. Then it would be that the opponents of a change in government would consist of a majority of the Kanakas and a minority of these other nationalities?

Mr. EMERSON. Yes; that is, those who support the monarchy.

The CHAIRMAN. But the Queen out of the way, monarchy destroyed, and it being impossible to restore it, your opinion would be, if I understand it correctly, that a majority of all together, the Kanakas, the European white people, the Americans, and the Portuguese, would be in favor of annexation to the United States rather than to any other country?

Mr. EMERSON. I believe the vast majority would be. But let me say this—the adventurers out there would be in favor of the establishment of a republic.

The CHAIRMAN. An independent republic.

Mr. EMERSON. Yes. Mr. Wilcox, who is an adventurer out there, would operate in that direction.

The CHAIRMAN. You mean in the direction of an independent republic?

Mr. EMERSON. Yes; where they would have a chance to get office,

a chance they would not have if Hawaii were annexed to the United States.

The CHAIRMAN. You think a republic is quite possible.

Mr. EMERSON. Yes. We want to eliminate politics out of that country, with such a polyglot people as we have.

Senator GRAY. You do not have a republic there now?

Mr. EMERSON. I presume we shall have a republic if you do not admit us.

The CHAIRMAN. You have been over the islands a good deal?

Mr. EMERSON. I have been from end to end over the islands three times.

The CHAIRMAN. You know the face of the country?

Mr. EMERSON. Yes.

The CHAIRMAN. What do you say as to the capacity of the Hawaiian Islands to maintain a population as great as they have now, upon their native productions?

Mr. EMERSON. Do you mean white population?

The CHAIRMAN. The whole population. Will the islands sustain the population that you have there now on native productions?

Mr. EMERSON. Certainly, five times as much.

The CHAIRMAN. It is a fertile country where it is arable?

Mr. EMERSON. Yes. I believe it would sustain ten times as much.

Senator GRAY. What is the population?

Mr. EMERSON. It varies; Chinese and Japanese coming and going.

Senator GRAY. I mean, about.

Mr. EMERSON. Ninety thousand.

The CHAIRMAN. So that you think the islands could sustain a million of population?

Mr. EMERSON. It would be better for that country if they cultivated coffee and the fruit industries, orange industries, instead of giving all up to sugar. We all feel that we want to have a variety of industries.

The CHAIRMAN. The cultivation that is going on in Hawaii is for export?

Mr. EMERSON. Yes.

The CHAIRMAN. What you want is for domestic use?

Mr. EMERSON. Yes, and for export. We want to have a larger variety of products for export.

Subscribed and sworn to.

O. P. EMERSON.

The subcommittee adjourned to meet on Tuesday, January 2, 1894, at 10 o'clock a. m.

SECOND DAY.

WASHINGTON, D. C., *Tuesday, January 2, 1894.*

The committee met pursuant to adjournment.

Present, the chairman (Senator Morgan) and Senators Gray and Frye.

Absent, Senators Butler and Sherman.

SWORN STATEMENT OF MR. PETER CUSHMAN JONES.

Senator FRYE. Mr. Jones made a deposition in Honolulu, which deposition was sent to me. My idea is to read it to Mr. Jones and the committee, and if Mr. Jones make it a part of his testimony here it would save to the committee one or two hours of time.

The CHAIRMAN. There being no objection, that course can be taken.

Senator GRAY. Is that deposition published in any of the documents that we have.

Senator FRYE. No. It is a deposition that was given by Mr. Jones in Honolulu before he left there. It was given to be used in this investigation. It is as follows:

HAWAIIAN ISLANDS,
Honolulu, Oahu, ss.:

P. C. Jones, being duly sworn, deposes and says that he was born in Boston, Mass., United States of America; that he came to Honolulu in the year 1857, and has resided here since that time; that he has large business interests here, and is at present engaged with his son in the business known as "The Hawaiian Safe Deposit and Investment Company;" that on the 8th day of November, A. D. 1892, he was commissioned by the then Queen Liliuokalani minister of finance, and retained that office until the 12th day of January, A. D. 1893, the cabinet to which he belonged being generally known as the Wilcox-Jones cabinet; that he is acquainted with James H. Blount and knows the time when that gentleman came to Honolulu as special commissioner; that soon after his arrival he called upon him and said in effect as follows: "As I was intimately acquainted with the Government during the last two months of the monarchy I may be able to give some information in regard to our affairs, and I shall be pleased to give my statement if you desire it"; that Mr. Blount thanked him, said he would be pleased to have it, and would let him know when he would be ready to grant him an interview; that a careful statement was prepared by this affiant on the 25th day of May, A. D. 1893, from which this affidavit is taken, reciting all the important events connected with the Government from the 8th day of November, A. D. 1892, up to the 16th day of March, A. D. 1893, that period including the events of January 17, of which this affiant was fully cognizant; that the said James H. Blount never asked for this interview and this affiant never had any opportunity of presenting the statement, although he is informed and believes that other persons suggested to Mr. Blount that he secure the statement.

Affiant further says that his knowledge of the revolution and the events immediately leading up thereto is as follows: When it was known about town that the Queen was to proclaim a constitution great

excitement was created about the whole city, and all were ready to take measures to prevent it. This seemed to be the public feeling with men as they met and discussed the matter on the street corners. About 3 o'clock on Saturday afternoon, January 14, an informal meeting was held at the office of W. O. Smith, on Fort street, to consider the situation, and a committee of safety, consisting of thirteen men representing different trades and professions, was appointed. On Monday, January 16, the mass meeting was held at the armory at 2 o'clock. Mr. E. C. Macfarlane and others arranged for a similar meeting at the same hour at Palace Square, hoping to draw away the crowd from the other. I attended the meeting at the armory but took no active part. I observed the men present, and as I was chairman of the mass meeting held in 1887 I can say that not only was the audience larger at the January 16 meeting but seemed to be more determined and resolved. I was at home on Monday afternoon at 5 o'clock, when one of our residents rode into my yard and said that the troops from the U. S. S. *Boston* had just landed to protect life and property, and though there had been no outbreak yet there was great excitement in the city, and it was a great relief to me and my family to know that we had the protection of the only warship in port, as I anticipated trouble, and I believe the presence of sailors and marines on shore was all that prevented riot and possibly bloodshed.

On Tuesday morning, January 17, Mr. C. L. Carter called at my house before breakfast and informed me that after breakfast he would call upon me with Mr. Bolte, they having been appointed for that purpose, and invite me to take a place in the executive council of the Provisional Government which was to be formed that day. I was surprised to know that my name had been mentioned. I told Mr. Carter that I was not fitted for such a position, and that my experience for the last two months had made me heartily sick of politics; that it might look as if I was going in for revenge for having been put out of the last cabinet, and I could not see any reason why I should accept the position. I told him, however, that I would carefully consider the matter and give him an answer when he called later with Mr. Bolte. I placed the matter before my wife to get her opinion, and presented all the arguments I could think of against taking the position. Among other things, I said, "It is more than probable that the Queen's party will not submit without fighting, and the chances are that I will get shot." She said in reply, "If you do get shot I can give you up, for I feel it to be your duty to take part in this move. The country needs you at this time, and if you lose your life it will be in the discharge of your duty."

After breakfast Messrs. Carter and Bolte called and I agreed to accept the position of minister of finance provided Mr. S. B. Dole would consent to take the position of President. It was arranged that I should remain at my house and when needed would receive a telephone message and was to meet the others at the office of W. O. Smith. During the time between breakfast and noon I remained at home, feeling all the time that there was great danger to my life, and this feeling seemed to grow upon me during the day. On the way from W. O. Smith's office to the Government building I thought surely we would be shot down, for when the shot was fired just as we left Smith's office for the building it looked to us as if the shooting would be general. I had fears there also of an attack while the proclamation was being read, for it was reported that there was a force in the building under command of C. J. McCarthy, and I was not rid of these fears until I saw a sufficient number of our men in the building to afford us pro-

tection. I was wondering how others were, but my own thought was that we could not come out of it without loss of life, and my chances for getting shot were above the average on account of my relations with the Government only a few days before. I had no arms of any kind with me.

During the month I thought over the situation carefully and I was fully convinced that if ever it was necessary to take a decided stand for representative and responsible government it was at this time. While the Queen had professed to take back all she had said and done about a new constitution I felt it was only to gain time to make better preparations to carry out her designs, and while I fully realized the step we were taking was revolutionary I felt it was my duty as a man to do what I could to assist in putting down a form of government that was oppressive and corrupt, and I was conscious that I was doing my duty in accepting office under the Provisional Government. The telephone message came to me about 1 o'clock, and I went immediately to the appointed place. The proclamation was read and after we had all signed it we started for the Government building at 2:35 p. m. all in a body. Just as we came out of Smith's office a shot was fired up street near E. O. Hall & Sons' store and thus diverted the crowd, so when we arrived at the Government building there were only a few persons present. After the surrender of the building and the reading of the proclamation I at once took possession of the finance office which contained many of the Government records and the treasury vaults. It was a surprise to us to find that there was no force at the Government building to protect it when we arrived there.

As soon as we could, after getting possession of the building, the councils assembled and appointed Col. Soper the commander of the Provisional Government forces and attended to other matters that required prompt action. About 6 o'clock Capt. Wiltse, of the *Boston*, called upon us and said that we could not be recognized as a *de facto* Government until we had possession of the station house and barracks. We expected that resistance would be made at the station house, but soon after Wiltse's visit the deputy marshal called upon us with a request that we go to the station house and confer with the late cabinet. This we refused to do, but sent word back that if the old cabinet desired to meet us they could come to the building and would be guaranteed safe entrance and exit. Soon after two members came and had a conference, and later all four came and agreed to turn over the station house and barracks to the Provisional Government, which was done about 7 o'clock. It was a surprise to us to see how quickly and quietly they yielded, and it is an evidence of the rottenness of the monarchy which fell as soon as any resistance was made. And during the evening many of our best citizens who had taken no active part in this move called and gave their congratulations, assuring us of their support. Martial law was proclaimed and the city guarded by volunteers during the night. Many threats were made, and many rumors were in circulation every day that caused much anxiety and constant watching.

The strain was very great all these days, and so many threats were made we consulted with the advisory council and decided that to bring about a state of quiet we would ask the protection of the American minister, and suggested that the American flag be hoisted on the Government building, which he consented to do, and the flag was raised on the morning of February 1. The strain was at once removed, not only from the members of the council but of all good citizens of Honolulu, and in fact all over the islands. During my term of office there

is one thing that impressed me very deeply and that was the unanimity of feeling among the members of both the executive and advisory councils. I remained in office untill March 16, just two months, when I found that the strain was so great that I was fast breaking down under it, and I retired.

And further, with regard to the events and the causes which led up to the late revolution, this affiant says as follows: The causes which led to the late revolution in January last are of no recent origin, but date back to 1874 when Kalakaua secured the throne. Almost immediately after his accession to the throne he began to use his high position to gain more power, and this he continued to do until the revolution of 1887. The community was patient and long suffering and for years submitted to many annoyances before rising up and protecting its rights.

No King ever had better prospects for a peaceful and succesful reign than did Kalakaua, and if he had made a proper use of his rights and powers might have made his reign a prosperous one. He seemed to be wholly corrupt, and his influence was one which had its effect upon the mass of the native people. Not satisfied with the appointment of the House of Nobles, he interfered in the election of representatives by using liquor which was taken from the custom-house duty free and promising offices under his patronage. He dismissed more than one cabinet for nothing, and in some instances sent messages to their houses in the middle of the night asking for their resignations, while others whom he assured had his implicit confidence he discharged a few hours after. Kalakaua surrounded himself with men of bad character and gave himself up to habits unbecoming a King. He was always in debt and resorted to measures for raising money that were wholly dishonorable for any man, much more a King. The Legislature of 1890 paid up his debts and issued bonds to the amount of $95,000 to meet his obligations, pledging the income of the Crown lands at the rate of $20,000 a year to meet these bonds, but when his sister came to the throne she repudiated the pledge given by her brother, and now this debt has to be borne by the State, only $5,000 having been received on this account.

When he died the country had much hope for the better state of things from his sister Liliuokalani. When she ascended the throne most of the better class of our people associated with her and did all in our power to surround her with good influences, and many of our best women stood ready to help and encourage her in all good works; but it was soon evident that she was more ambitious for power than her brother, and she began to use means to place herself in power, and while she professed friendship for those good women she was scheming to get entire control of the Government. She evidently had not profited by the revolution of 1887 and thought herself to be sufficiently strong to get back that power taken from her brother in 1887. She was more cunning, more determined, and no coward as he had been. On my arrival at Honolulu in September, 1892, after a visit of a year in the United States, I found that the Widemann cabinet had been removed by a vote of want of confidence, and in more than a week no new cabinet had been made up that would be satisfactory to the Queen and Legislature.

The Queen, however, did finally appoint E. C. Macfarlane, Paul Neumann, S. Parker, and C. T. Gulick, and as two of those were members of the late Widemann cabinet and Macfarlane had betrayed the members of the Legislature, this cabinet was soon voted out, when the Queen, still persisting in having her own way, appointed a new cabinet with

W. H. Cornwell at its head. This cabinet was turned out a few hours after it presented itself before the Legislature, and it became evident to the Queen that she must comply with the desires of the majority of the Legislature. A committee was appointed by the house to advise the Queen that they would support a cabinet made up by either one of three men who were named to her. After waiting for a week or more she sent for G. N. Wilcox, one of the three men mentioned, and asked him to form a ministry. He selected Mr. Cecil Brown, Mr. Mark Robinson, and myself as his colleagues, and the Queen expressed herself as being fully satisfied with his choice. I hesitated to accept the position, but I was urged to take the position by many of our citizens and by men who were opposed to me in politics, among them Mr. Widemann, who came to me to prevail upon me, saying I had made my money here and it was my duty to serve the country at this time.

The Queen sent for me on the evening of November 6 and asked me to take the position of minister of finance with Wilcox as premier, and as all of the gentlemen were men in whom I had special confidence I accepted. And it was understood that we should meet at the palace on the morning of the 7th to take the oath of office and receive our commissions. The Queen wanted to have her way here and appoint Mr. Brown as premier, but this we refused, as it was contrary to the decision of a majority of the Legislature, and we sent her word that Mr. Wilcox must be premier or we would decline to serve. This message was sent on the morning of the 7th, when we had assembled at Mr. Brown's office for the purpose of going to the palace. We soon received a message from the Queen by the chamberlain that she was not ready for us, and we learned that she had hopes of sending Mr. Parker back again and so delayed the matter. Mr. Brown and myself at first were inclined to send back word to the Queen that we declined to accept the positions, but at the earnest solicitation of many friends we withdrew our objections and concluded to accept if she would send for us. Supposing that she could not carry her point and appoint Mr. Parker, the Queen sent for us at noon, November 8, and gave us our commissions.

We went to the Legislature which had assembled to receive us and assumed at once the duties of our respective offices. We had frequent interviews with the Queen and assured her that it was our desire to confer fully with her upon all important matters and that we would do all in our power to make matters pleasant and agreeable for her. Soon after we had taken up our duties we prepared a paper setting forth our policy which we presented to the Legislature. Before doing this, however, we submitted and fully explained it to the Queen and had her assurance that it met her hearty approval and that we should have her support in carrying it out. The document contained the following points of policy:

(1) To promote closer relations with the United States to the end that the products of the Kingdom may be remunerative to those engaged in their cultivation and production.

(2) To assist in the passage of such laws as will relieve the present want of labor.

(3) To carry on all branches of the Government economically.

(4) To oppose any measure tending to legalize a lottery or license gambling.

(5) To oppose any measure that will interfere with or change the present monetary system of the Kingdom.

(6) To remove all employés of the Government who are incapable or not trustworthy.

Early in December we presented to the Queen the nominations of W. A. Whiting and W. F. Frear as circuit judges under the new law that was to go into operation January 1, 1893. In this law the Queen appointed, by and with the advice and consent of the cabinet. We decided upon those gentlemen after conferring with the supreme court and a large number of the members of the bar. We heard nothing from the Queen for several days and finally waited upon her to sign the commissions. She informed us that it was her desire to appoint Antone Rosa, as she had received a petition from several natives in his favor. We told her we could not approve of a man of his habits, and after discussing the matter at length she said, "As there are four of you against one I will yield and will appoint Mr. Frear." We waited several days without hearing from her, when we wrote her a letter calling her attention to the fact that we had not received the commissions and reminded her of her promise to send them. Mr. Paul Neumann told several persons she showed him our letter and was angry about it. She told him she did not want to sign Frear's commission. He said that he replied to her, "Your Majesty, as a woman you have the right to change your mind, but as a Queen never." We learned that she frequently consulted with Messrs. Neumann, Ashford, and others outside of her cabinet.

On December 31, the very last day, she sent to us the commission of Mr. Whiting duly signed, but sent no word about Mr. Frear. We discussed the matter, and it was decided that I should go and see the Queen and tell her that unless she could see her way clear to sign Frear's commission we would decline to accept Whiting. I met her and delivered the message, telling her also that the cabinet was responsible to the country while she was not and while we held our portfolios we should endeavor to give her good advice. She was not pleased, but yielded very gracefully and signed Frear's commission, delivering the same to me at that time. It was very evident from the first that she was not in sympathy with us, although she was always pleasant and ladylike in all her interviews, and yet she annoyed us by delaying matters, keeping back bills that had passed the house, conferring more with others than with her cabinet. We felt satisfied that she was using her influence against us with the native members of the Legislature and this became more apparent from day to day. We had hardly been in office a week before we heard that a vote of want of confidence was to be brought up against us, and this was threatened every day.

Native members were constantly coming to us informing us of the state of things with the hope of obtaining money from us. Kanealii, representative from Maui, came to my house on two occasions and informed me that 22 votes had been secured against us and intimated that if I would buy the other three, of which he was one, the vote could be defeated. I refused to contribute one dollar for any such purpose and told him if he or his friends wanted money they had better vote against us. On January 4 Mr. Bush, representative from Oahu, brought in the long-expected resolution of want of confidence, but only 19 votes were secured and it failed to carry. After this it was hardly expected that they could secure a sufficient number of votes to remove us, although they kept constantly at it night and day. The Queen interested herself and labored earnestly among the native members to secure their votes, going down on her knees to Hoapili, noble from Hawaii, so, he said, to get him to vote us out. On the afternoon of January 11 the final passage of the infamous lottery bill came up and was carried by a vote of 23 to 20. It is a singular fact that the 23 who

voted for this bill all voted against us the next day, which together with the votes of C. O. Berger and Cornwall put us out of office. It is a fact that the Queen signed the lottery bill, although she pledged herself to support us in opposing it.

At noon on January 12 the Queen gave a luau, native feast, and after recess in the afternoon another want of confidence resolution was brought in by Kapahu, representative from Hawaii, who was decked out in a yellow wreath of flowers. It was seconded by Kanoa, Noble from Kauai, who also wore the same kind of a wreath, and they were the only members who had such wreaths which were said to have been placed on them by the Queen. Representatives Kapahu, Pua, and Kanealii all voted for us on the 4th of January, but on this last vote they all went against us. On the morning of the 12th instant the Queen sent for C. O. Berger, who had not been in the Legislature for several days, and had declared that he would not go there again, and urged him to vote against us, promising him that Mr. Widemann, his father-in-law, should make up the new cabinet. He agreed to this and his vote gave her the necessary number, 25. Only three foreign members of the House voted against us, Messrs. Cornwell, Petersen, and Berger. Representative Kanealii afterwards admitted to Mr. Robinson, one of the cabinet, that he got $500 for his vote against us. We could have prevented this vote by the use of money, but we declined to resort to any such measure to retain our seats. We felt all the time we were in office we were between the devil and the deep sea, the Queen and the Legislature, and it was a great relief to us all when the result of the vote was announced.

My experience in office was a revelation. I saw that good bills could be defeated and bad bills passed by the use of money, and I have been led to the conclusion by my experience in the Legislature that the native Hawaiians are not capable of self-government. I feel quite satisfied that the Queen and her party did not expect on the 11th of January to secure sufficient votes to remove us from office, for on the evening of that day Mr. Henry Waterhouse called at my house and revealed a plot that had been planned and would have been executed if they had failed to carry the vote of want of confidence. I was informed that an anonymous letter, written by John F. Colburn, had been sent to me asking the cabinet to resign because the Queen hated us all. If we did not resign on receipt of his letter the plan was for the Queen to invite the cabinet to the palace as soon as the Legislature was prorogued and demand our resignations. If we declined to resign, as we certainly should have done, she was to place us under arrest in the palace and then proclaim a new constitution. This I reported to my colleagues the next morning, but at that time they could not credit the report. The anonymous letter came through the post-office, but did not reach me until the following Monday, January 16. The following is a copy of the letter:

JANUARY 11, 1893.

Mr. P. C. JONES:

"It seems inconsistent with your principle to stay in office when you were kept there by open bribery on the part of certain Germans on Queen street. Money kept you in office, otherwise you would have been voted out; your colleague, Robinson, paid Akani and Aki $25 a piece before the voting, some days; he calls it a New Year's present; can you stomach that? We got the proof Bolte packed money in envelopes just before the vote came off and took it with him to the Govern-

ment building. George Markham had a hand in giving it to the nobles, Pua and Hoopili, Representatives Kanealii and Kapahu. Can't you see these things; ain't you wide awake enough for it; can you teach the Sunday school class and feel that you are acting consistent? Baldwin makes open brags that they propose to keep you in office if it takes coin to do it. Can you stand that? I think when you read this and "attempt" to make inquiries you will find this to be true, and I know you are too honorable to stay in office with this cloud hanging over your official head. You better resign before it is made public. Peterson has all the facts and he proposes to shove things if you and your colleagues don't get out of office which you are holding by unfair means. That is bribery. If you don't get out of office and a new constitution is shoved on this country by the Queen you four men and your hypocritical supporters will be to blame for it, resorting to bribery to keep you in office. The Queen hates all four of you and you had better retire.

"My name is not necessary."

This letter was taken from the post-office by my son on Monday the 16th of January. He recognized the handwriting of John Colburn on the envelope, being familiar with it, as he had been in the employ of Lewers & Cooke for several years with Colburn. The letter itself was written by Miss Parmenter, a niece of Colburn's, and if it had come on the morning of the 12th, as I fully expected it would, my colleagues would have credited the rest of the story. Mr. Colburn denied all knowledge of a new constitution until Saturday, January 14, when he says it was sprung upon the cabinet, but his letter to me dated the 11th clearly shows that he was aware of it. It is possible to get positive proof that this letter was dictated by Colburn, copied by his niece, and sent in an envelope addressed by him after he himself had written below "My name is not necessary."

On Friday, January 13, the new cabinet was announced, consisting of S. Parker, W. H. Cornwell, J. F. Colburn, and A. P. Peterson. The lottery and opium bills were both signed by the Queen and reported back to the Legislature on the same day, which was the last one of the session. On Saturday morning, about 9 o'clock, Mr. C. O. Berger went to several members of the reform party and was anxious to join with them and vote out the new cabinet, but this they declined to do. Mr. Berger had been disappointed, for the Queen had not kept her promise to him that his father-in-law should make the new cabinet, although she had invited Mr. Widemann to take the position of minister of finance with Parker, Peterson and Colburn. This he had declined to do, so Cornwell was substituted for him. It is rather remarkable that on Saturday Mr. Colburn should have gone to Judge Hartwell and Mr. Thurston and engaged their services to prevent the Queen from proclaiming the new constitution. When he saw the state of the people he became afraid and tried to retrace his steps, but it was too late.

There was never to my knowledge any belief or anticipation that the troops of the *Boston* would be landed for the purpose or would in any way assist in the abrogation of the monarchy or the formation of the Provisional Government.

PETER C. JONES.

Subscribed and sworn to before me this 5th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

AFFIDAVIT OF CHARLES M. COOKE.

HAWAIIAN ISLANDS,
Honolulu, Oahu, ss:

C. M. Cooke, being duly sworn, deposes and says that he is one of the firm of Lewers & Cooke; that John F. Colburn was in the employ of the said firm for many years; that he is familiar with the handwriting of the said John F. Colburn; that the words "My name is not necessary" at the close of an anonymous letter addressed to Mr. P. C. Jones, dated January 11, 1893, are in the handwriting of the said John F. Colburn.

CHAS. M. COOKE.

Subscribed and sworn to before me this 5th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

AFFIDAVIT OF E. A. JONES.

HAWAIIAN ISLANDS,
Honolulu, Oahu, ss:

E. A. Jones, being duly sworn, deposes and says that on the 16th day of January, A. D. 1893, he took from the post-office an envelope addressed to his father, P. C. Jones, which contained an anonymous letter, dated January 11, 1893, signed, "My name is not necessary." That he has known John F. Colburn for many years, and was associated with him in business for many years; and that the handwriting by which the said envelope was addressed was that of John F. Colburn, as well as the words, "My name is not necessary" at the close of the said letter.

E. A. JONES.

Subscribed and sworn to before me this 5th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

The CHAIRMAN. Did you save that anonymous letter?

Mr. JONES. Yes. I have it with me. If you desire I will turn it over to you.

The CHAIRMAN. Have you a knowledge of the handwriting?

Mr. JONES. No. But my son and Mr. Cook, who are familiar with it, declare that they have. There is the original letter. [Producing paper.] Here is the second page of it. Perhaps I had better leave that. You can see where it says, "Name is not necessary," and it is in a different handwriting.

The CHAIRMAN. There is a memorandum that you have appended to this letter, it appears.

Mr. JONES. Omit that. I have recited that in my testimony. I just made a note of the time I received it.

Senator GRAY. That is for your own information?

Mr. JONES. Yes.

The CHAIRMAN. At what time was the bill signed relating to the distillation of spiritous liquors, which bill is mentioned there?

Mr. JONES. That bill was signed some days before that, I think.

The CHAIRMAN. Signed by the cabinet of which you were a member?

Mr. JONES. I think that was. That had passed the House and was signed by the Queen, and was also approved by Minister Wilcox. That is my impression. You refer to the distillation of spirituous liquors?

The CHAIRMAN. Yes.

Mr. JONES. Yes, there was a bill of that nature passed; and I think that was approved by the cabinet. Of course, it had passed the House, and we were bound to recognize it.

The CHAIRMAN. That was a bill amending a statute that had been on the statute books for several years?

Mr. JONES. Yes.

Senator GRAY. Was that the distillation bill, so-called?

Mr. JONES. Yes; there was a distillation bill passed.

Senator GRAY. It is the bill to which Mr. Emerson, the last witness, referred?

Senator FRYE. Yes.

Senator GRAY. And that was the bill that came to you in the regular course, and was approved by your cabinet?

Mr. JONES. Yes. I am not very positive about that; but that was a bill in the interest of commerce. We did not oppose anything that passed the House; anything that passed the House we had to accept.

Senator GRAY. That was a bill that regulated the liquor traffic?

Mr. JONES. Yes; it was to encourage home manufacture. It was a bill that I took very little interest in.

The CHAIRMAN. I have a copy of the bill here. I wanted to ask Mr. Jones whether under the constitution of 1887 it was requisite, in order that an act of the Legislature should become a law, that it be signed by the Queen and one of her cabinet.

Mr. JONES. Yes; it was not valid until signed by one of the cabinet. The minister of the interior had to approve all bills; otherwise they were not valid.

The CHAIRMAN [exhibiting blue print heretofore used in the examination]. Look at that blue print and state whether you are familiar with it.

Mr. JONES. Yes; I am familiar with it—very familiar.

The CHAIRMAN. Is it a correct plat of the city of Honolulu and the buildings mentioned there?

Mr. JONES. Yes; and it is very accurate.

Senator GRAY. I would like to premise the two or three questions that I desire to ask Mr. Jones with the statement that I have no criticism at all to make upon the desire that he and other good people of Honolulu evince for a change of Government in Hawaii; in fact, so far as I understand his statements, I am inclined to sympathize with the desire. I beg him to believe that I only wish to get at the facts and not his reasons for a desire to change the Government—the facts that relate to our attitude in the matter.

Mr. JONES. Yes.

Senator GRAY. I am going to ask you in regard to this native population about which I, for one, have very little information. The subject is quite interesting to me. You have been in Hawaii how many years?

Mr. JONES. I have been there thirty-six years, and, outside of my business I have had a great deal to do with the natives. I have taken a great deal of interest in them.

Senator GRAY. For that reason, what you say about them would be

very interesting. In the first place, are they a people of fair intelligence?

Mr. JONES. Fair intelligence?

Senator GRAY. Yes.

Mr. JONES. Yes; they are. And many of them are excellent mathematicians; they seem to take hold of mathematics.

Senator GRAY. Are any of them teachers?

Mr. JONES. They are educating them in that direction. The Kamehameha schools, founded by Mrs. Bishop—she was the last of the Kamehameha family—are very liberally subsidized by her husband, who is now living. They are preparing a good many young men for teachers, and they are doing very well. There are two young men in New York now receiving higher education at some normal school—getting instruction to become teachers.

Senator GRAY. I did not know that they were so far advanced as that. How long has education been general among the native population?

Mr. JONES. Oh, ever since their language was reduced to a written language by the early missionaries. I think it is almost impossible to find a Hawaiian who is not able at least to read and write. They have what we would call in this country a common-school education. They were educated in the Hawaiian language, and are now being taught very largely in the English language, it being their preference.

Senator GRAY. Then, there has been quite a generation, as things go, who have been under the influence of the common-school education?

Mr. JONES. Oh, yes; more than a generation.

Senator GRAY. Do they take much interest in the politics of the islands?

Mr. JONES. Yes; they do. They have taken a good deal of interest in politics, and they are very easily influenced for good or for evil.

Senator GRAY. Are they an amiable people, generally?

Mr. JONES. Very amiable; yes.

Senator GRAY. Are they treacherous; have they the characteristics of our North American Indians?

Mr. JONES. No; but they are untruthful—not what we would call treacherous; I would hardly call them treacherous; but sometimes they are untruthful.

Senator GRAY. Have any large number of them accepted the Christian religion?

Mr. JONES. Yes; there are some of them very exemplary Christian men and women.

Senator GRAY. How is it among the masses—are most of them educated in the ordinary tenets of Christianity?

Mr. JONES. Yes.

Senator GRAY. As are the ordinary masses of the population in some of our States?

Mr. JONES. I would say that they would compare very favorably with the early Christians of Corinth, and those to whom Paul gave his instructions. I do not wish to convey the idea that the Hawaiians are a treacherous people by any means; but they do not hesitate to tell little taradiddles to cover up.

Senator GRAY. That is the propensity of all inferior races?

Mr. JONES. The Hawaiians are called a good-natured people.

Senator FRYE. Are they capable of self-government?

Mr. JONES. I should say not; although I should be willing to give

the same privileges to them that I would ask for myself in the way of voting.

Senator GRAY. What day did you go out of office?

Mr. JONES. I went out on the 12th of January.

Senator GRAY. That was Wednesday?

Mr. JONES. That was Thursday.

The CHAIRMAN. Allow me to inquire right there, what was the form of the vote by which you were removed from office?

Mr. JONES. Mr. Kapahu, as I have said there, was the introducer of the resolution, the one who proposed that a vote of want of confidence be brought against the ministry.

The CHAIRMAN. In that form?

Mr. JONES. Yes; and he then went on to laud Mr. Wilcox, Mr. Robinson, and myself, and tell what good men we were—but brought in this vote of want of confidence. That was seconded by Kanoa. There was no discussion on it. There was a motion made to indefinitely postpone that motion. That was lost. Then it went back to the original motion, and the motion for want of confidence was carried by 25 votes.

The CHAIRMAN. Against how many?

Mr. JONES. I think there were 45 members of the house. That matter had been settled by the supreme court only a little while before. There are 24 representatives and 24 nobles. They all sit together in one house and vote together. There had been one or two vacancies, and the matter was submitted to the supreme court. The question was, how many votes constituted a majority of the vote of want of confidence. The court decided that a majority of the whole house—48 members and the 4 ministers. In that vote the 4 ministers could not vote, and that leaves 48 votes; and there must be 25 votes.

The CHAIRMAN. I want to get at whether that vote of want of confidence had any relation to any particular measure.

Mr. JONES. No.

The CHAIRMAN. It was a sweeping vote of want of confidence?

Mr. JONES. Yes.

Senator GRAY. You say this was Thursday?

Mr. JONES. The 12th of January.

Senator GRAY. That you went out of office?

Mr. JONES. Yes.

Senator GRAY. And you had no public function to perform, no public duty again, until you became a member of the committee of safety?

Mr. JONES. Minister of the executive council of the Provisional Government.

Senator GRAY. Were you not a member of the committee of safety?

Mr. JONES. No, I was not.

The CHAIRMAN. The committee of safety was the advisory council.

Mr. JONES. Many of them afterward became members of the advisory council.

The CHAIRMAN. The advisory council is still a separate body from the committee of safety?

Mr. JONES. The committee of safety ceased to exist on the formation of the Government.

Senator GRAY. You say you received a telephone message about 1 o'clock to go to some place, an appointed place. What day was that?

Mr. JONES. That was on Tuesday, the 17th.

Senator GRAY. About 1 o'clock in the day?

Mr. JONES. Yes.

Senator GRAY. Where did you go then; where was the appointed place?

Mr. JONES. The appointed place was the office of W. O. Smith, where the committee of safety and those who had agreed to take part in the new Government assembled before going to the Government House.

Senator GRAY. Whom did you find there?

Mr. JONES. I found all the members of the committee of safety, and Judge Dole, Capt. King, and W. O. Smith.

Senator GRAY. Those with you constituted afterwards the executive council?

Mr. JONES. Yes.

Senator GRAY. Who else were there?

Mr. JONES. I do not remember any others. I think no others were there.

Senator GRAY. After you got there, what did you do?

Mr. JONES. We read over the proclamation.

Senator GRAY. It had been prepared before you got there?

Mr. JONES. It had been prepared; yes, and signed. We all signed it, and then went to the Government House.

Senator GRAY. Whom did you walk with; do you recollect?

Mr. JONES. I could not tell you now. It was a very exciting time, you know.

Senator GRAY. Did the whole thirteen or fourteen march up in a body?

Mr. JONES. No; part of us went one street and part another. I can show you by the map.

Senator GRAY. Show me where you met in Mr. Smith's office.

Mr. JONES. Smith's office is right in there. [Indicating on diagram.]

Senator GRAY. Which street?

Mr. JONES. Fort street.

Senator GRAY. Near what?

Mr. JONES. Near Merchant—very near Merchant street. The Government building is there [indicating]. Some of us went up Merchant street and came in here [indicating]; some went up Queen street and went into the Government building. I went by the way of Merchant street. I think I walked with Judge Dole.

Senator GRAY. How many were with you and Judge Dole—immediately with you, right together?

Mr. JONES. But we were perhaps half the number. I could not say now. You see it was a very exciting time, and this shot had been fired right up by Hall's corner, on Fort street—just above us.

Senator GRAY. What sort of shot was it?

Mr. JONES. It was a pistol shot. Here [indicating] is Hall's corner. We were here [indicating], and this shot was fired right here [indicating].

Senator GRAY. Were there any crowds on Merchant street?

Mr. JONES. No.

Senator GRAY. This shot drew the people over toward the place of shooting. That was after you had started, or before?

Mr. JONES. Just as we started. Just as we came out I saw the flash of the pistol.

Senator GRAY. Was there any crowd around Mr. Smith's office when you came out?

Mr. JONES. No.

Senator GRAY. Was there any up Queen street? Did you see up Queen street?

Mr. JONES. No; Queen street is below Merchant street.
Senator FRYE. Were any of you armed?
Mr. JONES. I was not. I think some of them had arms.
Senator GRAY. Did you see any arms where you went that day?
Mr. JONES. In the Government building?
Senator GRAY. No; Mr. Smith's office.
Mr. JONES. No.
Senator GRAY. You say that you went to the Government building. Did you and Mr. Dole arrive first? Did you find anybody at the Government building?
Mr. JONES. I think there were eight persons in the Government building when we got there. None of the ministers were there.
Senator GRAY. What did you do when you got in?
Mr. JONES. Mr. Cooper immediately read the proclamation.
Senator GRAY. Immediately?
Mr. JONES. Within two or three minutes of our assembling.
Senator GRAY. Who was Mr. Cooper—one of the committee?
Mr. JONES. Mr. Cooper was one of the committee, and also one of the advisory council. He read the proclamation.
Senator GRAY. His name is what?
Mr. JONES. H. E. Cooper.
Senator GRAY. One of the committee of safety, you mean?
Mr. JONES. One of the committee of safety, and afterward he was one of the advisory council.
Senator GRAY. Those who went up there, then—Mr. Dole, Mr. King, Mr. Smith, and yourself—were afterward the executive council and members of the committee?
Mr. JONES. And the advisory council, yes.
Senator GRAY. How long did it take to complete the reading of the proclamation?
Mr. JONES. I should say it took just about ten minutes, and in that time our forces, our men, were coming in from the armory. We were ahead of time.
Senator GRAY. Was anybody there when the reading commenced outside? Let me ask, first, where was the proclamation read from?
Mr. JONES. From the steps of the Government building.
Senator GRAY. What street?
Mr. JONES. Facing the palace or Palace Square. Here [indicating] is Palace Square, and it was read from that part [indicating].
Senator GRAY. Facing the palace?
Mr. JONES. Yes.
Senator GRAY. Who were in front of the steps when they commenced to read the proclamation—how many?
Mr. JONES. Very few. I do not think there were more than a half dozen persons.
Senator GRAY. You spoke of *"our men"* coming up. How many had come up?
Mr. JONES. I should say there were fifty or sixty when we got through reading the proclamation.
Senator GRAY. Were they organized as a military organization?
Mr. JONES. As they marched down the street there was very little time for organization.
Senator GRAY. Were they in fact organized?
Mr. JONES. They marched down in squads.
Senator FRYE. Armed?

Mr. JONES. They had rifles; yes.

The CHAIRMAN. Under the command of officers?

Mr. JONES. Under the command of their different captains.

Senator GRAY. How long after the close of the reading of the proclamation was it that they arrived?

Mr. JONES. Some of them arrived before the reading of the proclamation was finished.

Senator GRAY. How many do you suppose?

Mr. JONES. Well, I should say 40 or 50.

Senator GRAY. Before the reading had been finished?

Mr. JONES. Yes.

Senator GRAY. And the balance were a little while afterwards?

Mr. JONES. Yes; they kept coming in.

Senator GRAY. How many men in that organization, such as it was, were armed with rifles, and were there at the close or directly after the close of the reading of the proclamation?

Mr. JONES. Oh, a short time after, a half hour after, there must have been 150 or 200, I should say.

Senator FRYE. Armed?

Mr. JONES. Yes; all the men were armed at that time.

The CHAIRMAN. How did the information get out in the community that the proclamation was to be read there at that time?

Mr. JONES. It was spread abroad by the people all over the town Of course there was a good deal of excitement in the city that day, and people knew that something was going to be done in the way of dethroning the Queen, and they were watching for things; and this shot having been fired just as we started out, diverted a great many of the crowd up there to see what that was. It was very soon noised abroad, and the people came up.

Senator GRAY. At the meeting the day before, at the Rifles' armory, of which you spoke, and which you attended, I believe?

Mr. JONES. Yes.

Senator GRAY. The resolutions which were read there, and which we have, did not proclaim this intention of dethroning the Queen?

Mr. JONES. They did not in so many words, but everybody understood what they meant.

Senator GRAY. You say the resolutions did not proclaim that intention?

Mr. JONES. No.

Senator GRAY. If you know accurately, state it; if you can not be accurate, give your best judgment. At what time was the reading of the proclamation through—what hour in the day?

Mr. JONES. It was a quarter of 3. It was a peculiar thing. When I went into the finance office, just as the reading of the proclamation was finished, the clock had stopped at a quarter to 3.

Senator GRAY. Had it stopped just as you went in?

Mr. JONES. It was stopped just at that time.

Senator GRAY. It was not stopped just as you went in?

Mr. JONES. No—it had not been stopped more than a minute or two.

Senator GRAY. How did you know that?

Mr. JONES. The clock had been going before that.

Senator GRAY. But getting at the hour—I want to call your attention to it. It would not be much of a guide to look at a clock that had stopped, unless you saw it stop.

Mr. JONES. I know it from looking at my watch. We arrived there

about twenty minutes of 3, and it took about ten minutes to read the proclamation.

Senator GRAY. The clock stopped about a quarter of 3?

Mr. JONES. Yes; we did not intend to be there until 3 o'clock.

Senator GRAY. After the proclamation had been read you went into the finance room. Who went with you?

Mr. JONES. I think I went in there to notify the register of accounts that I had taken a position as a member of the Provisional Government.

Senator GRAY. You were one of the Provisional Government.

Mr. JONES. Yes; he recognized me.

Senator GRAY. What did the Executive Council do? I suppose you got together as a body, you four men?

Mr. JONES. Yes; with the Advisory Council, got together and we appointed first Col. Soper as commander of the forces, and then proclaimed martial law. Then some attended to different things. Mr. Dole notified his clerk to prepare notices to the various consuls and diplomatic corps that we had taken possession of the Government, and were in possession of the Government House and archives.

Senator GRAY. Do you recollect what time it was that notice was sent to Mr. Stevens?

Mr. JONES. I think it must have been about 4 o'clock.

Senator GRAY. When did you get an answer from him?

Mr. JONES. I do not remember; it was very soon.

Senator GRAY. Before dark?

Mr. JONES. I think it was just about dark.

Senator GRAY. Now, you say, that it was about 6 o'clock that the captain of the *Boston* called upon you. When was that? You say in your deposition that "Capt. Wiltse called upon us and said that we could not be recognized as a *de facto* government until we had possession of the station house and barracks." When was that?

Mr. JONES. This same afternoon.

Senator GRAY. After the proclamation had been read?

Mr. JONES. After the proclamation had been read, and I think it was before we heard from Mr. Stevens. Of course, it was a day of very great excitement, and the hours were not very firmly fixed in our minds.

Senator GRAY. When did you get possession of the station house and barracks?

Mr. JONES. I should say about half-past 7—7 or half-past.

Senator FRYE. That same day?

Mr. JONES. That same evening; yes.

Senator GRAY. Did you go to the station house?

Mr. JONES. We sent a squad down there and they delivered it over.

Senator GRAY. Had you previously sent representatives to the Queen?

Mr. JONES. As I said a minute ago, the ministers sent for us to come to the station house. We refused to go, and assured them if they would come up and interview us we would talk over the situation.

Senator GRAY. When was this?

Mr. JONES. This was a very few minutes after Capt. Wiltse had been in.

Senator GRAY. Did the ministers come up?

Mr. JONES. They came up. First Mr. Cornwell and Colburn came. They went back and reported to their colleagues, and Peterson and Parker came up with them the second time. It was then that they agreed to turn everything over to us.

Senator GRAY. Was it then that the Queen abdicated—signed her abdication?

Mr. JONES. No. Mr. Parker said he did not want to have any bloodshed, and they were quite ready to deliver over everything to us. Then we sent down to the station house, and Mr. Wilson, the marshal, insisted on having an order from the Queen.

Senator GRAY. How far away was the station house?

Mr. JONES. It was about five minutes walk from the Government building.

Senator FRYE. The station house is nothing but the police headquarters?

Mr. JONES. That is all—police headquarters.

Senator GRAY. Where are the barracks?

Mr. JONES. There [indicating on the diagram] is the station house and there [indicating] is the government house, and that is about five minutes walk.

Senator GRAY. Where are the barracks?

Mr. JONES. The barracks are over here [indicating].

Senator GRAY. Did you have any communication from the barracks?

Mr. JONES. Not until later.

Senator GRAY. How late was it that you had communication from the barracks?

Mr. JONES. I think about 9 o'clock Capt. Nowlein——

Senator GRAY. Was it as late as 9?

Mr. JONES. I think not; I think it was about 8 o'clock that he was there. It may have been a little later.

Senator GRAY. Was that after you heard from the Queen—heard of her abdication?

Mr. JONES. Yes.

Senator GRAY. Her abdication?

Mr. JONES. Yes.

Senator GRAY. When was that abdication secured? I do not suppose she came into your presence and made known her abdication.

Mr. JONES. Oh, no.

Senator GRAY. It was brought by her ministers?

Mr. JONES. She agreed to surrender, and she did it by being allowed to make a protest. She made a protest.

Senator GRAY. About what time did you get that abdication and protest?

Mr. JONES. I should say that was a little before 8 o'clock, as I remember.

Senator GRAY. And it was after 8 and toward 9 o'clock that you had the surrender of the barracks from Capt. Nowlein?

Mr. JONES. Very soon after. I do not remember; there were so many events that followed so closely upon one another.

Senator GRAY. You said first 9 o'clock and then about 8.

Mr. JONES. I do not think 9 o'clock; nothing as late as 9.

Senator GRAY. First you said 9 and then you said 8 was the time that the surrender of the barracks occurred. The Queen's abdication you said was about 8 o'clock, as you say now.

Mr. JONES. I think so.

Senator GRAY. Do you recollect when you got your answer from Mr. Stevens?

Mr. JONES. I do not.

Senator GRAY. Do you recollect getting it all?

Mr. JONES. Oh, yes.

Senator GRAY. Was it dark when you got it?

Mr JONES. Yes, as I remember, it was dark.

Senator GRAY. Were you all together when this officer came with these gentlemen who composed the Royal Government?

Mr. JONES. Yes.

Senator GRAY. I wish you would try to recollect, if you can—if you can not of course you will say so—the coming in of that officer from Mr. Stevens; I mean, as to the time.

Mr. JONES. I would not attempt to do that, because I really do not remember.

Senator GRAY. Of course, if you do not remember you would not attempt to say. This was on the 17th of January, Tuesday?

Mr. JONES. Yes.

Senator GRAY. You say, "Many threats were made and many rumors were in circulation every day that caused much anxiety and constant watching. The strain was very great all these days, and so many threats were made we consulted with the advisory council and decided that to bring about a state of quiet we would ask the protection of the American minister, and suggested that the American flag be hoisted on the Government building, which we consented to do, and the flag was raised on the morning of February 1st." Now, when was it that you first consulted in regard to that request to have the American flag raised?

Mr. JONES. I think it was the last day of January, as I remember. We went up to see Mr. Stevens, up to his house, and to the executive council.

Senator GRAY. How long before that had you talked it among yourselves?

Mr. JONES. Perhaps for a day or so.

Senator GRAY. Who first told you that the troops had been landed from the *Boston*?

Mr. JONES. One of our German residents told us.

Senator GRAY. What did he tell you?

Mr. JONES. He told us that they were landed to preserve life and property.

Senator GRAY. That was the language he used, or was it your understanding?

Mr. JONES. No, I think that was his language—the request of the committee, and he probably repeated what he had heard down town.

Senator GRAY. I only want your recollection. Do you recollect who it was that so informed you?

Mr. JONES. Yes. I can not call his name. Let me see. I know he is a clerk in F. A. Schaeffer & Co's. I can not call his name just now.

Senator GRAY. You say you do not think those native Hawaiians are capable of self-government?

Mr. JONES. I do not think so.

Senator GRAY. Do you think they necessarily have to be governed by a more intelligent class for their own as well as for your benefit?

Mr. JONES. I think so.

Senator GRAY. You think that the intelligent and those having property interests will have to control the country for the good of those islands?

Mr. JONES. It seems to me so. That is my opinion, although I would give them the same rights that I ask for myself.

Senator GRAY. But that is your opinion of what the best interests of the islands require?

Mr. JONES. Yes.

Senator GRAY. Is that the general opinion of those who are associated with you?

Mr. JONES. I think so. Mr. Lance is that gentleman's name. I should be very sorry to live there under native rule entirely, where we pay all the taxes.

Senator GRAY. You went out of office on the 12th?

Mr. JONES. Twelfth of January; from the Queen's cabinet.

Senator GRAY. Was there a new cabinet formed immediately?

Mr. JONES. Oh, yes.

Senator GRAY. Who composed it?

Mr. JONES. Cornwell, Peterson, Parker, and Colburn.

The CHAIRMAN. Let me ask you just there. Under the constitution of Hawaii is it necessary before the new cabinet take office that it should be confirmed by the Legislature?

Mr. JONES. No. The Queen appoints, but the Legislature can vote them out. The Queen can not discharge the new cabinet. What is known as the Cornwell cabinet was voted out.

Senator GRAY. Are they voted out directly, or is a vote of want of confidence the process?

Mr. JONES. Yes.

Senator GRAY. Then a vote of want of confidence means that the cabinet has ceased to hold office?

Mr. JONES. Yes. If they secure 25 votes, the cabinet must retire.

Senator GRAY. Is that a majority?

Mr. JONES. That is a majority. On the 4th of January they brought in a vote of want of confidence in the Wilcox cabinet, and they secured only 19 votes. On the strength of that the minister went up to Hawaii with the *Boston* and was gone until it came back, on the very day that the Queen undertook to overthrow the Government by proclaiming the new constitution. We felt satisfied that she could not get the Wilcox cabinet out, and he thought there was no need of holding the *Boston* there any more; that there was no danger.

The CHAIRMAN. When did you first become aware of the fact that the Queen intended to abrogate the constitution of 1887?

Mr. JONES. On the evening of the 11th of January.

The CHAIRMAN. About what time?

Mr. JONES. It was about half past 6, just after dinner.

The CHAIRMAN. Who was your informant?

Mr. JONES. Mr. Henry Waterhouse.

The CHAIRMAN. What connection had he, if any, with the Government?

Mr. JONES. None whatever at that time.

The CHAIRMAN. Had he previously to that?

Mr. JONES. He had been a member of the Legislature; not that year.

The CHAIRMAN. He was a private citizen?

Mr. JONES. He was a private citizen. He got the information from Colburn's brother.

The CHAIRMAN. One of the men put into the ministry?

Mr. JONES. Yes.

The CHAIRMAN. Did you have any communication with any member of this cabinet upon that subject?

Mr. JONES. No.

The CHAIRMAN. None of them gave you any information as to the intention of the Queen to abrogate the constitution of 1887?

Mr. JONES. No.

The CHAIRMAN. Was any statement made at either of these meetings of which you speak—the citizens' meeting on Saturday or the meeting of the new Provisional Government—to the effect that the Queen had abrogated or intended to abrogate the constitution of 1887?

Mr. JONES. Oh, yes; at the mass meeting it was stated.

The CHAIRMAN. By whom?

Mr. JONES. By the resolutions that were introduced.

The CHAIRMAN. Who gave information to the meeting of the fact of which those resolutions were predicated—that the Queen intended to abrogate or had abrogated the constitution of '87?

Mr. JONES. I think the committee of thirteen. You see, the mass meeting was held on Monday, the 16th; the attempt of the Queen to abrogate the constitution was on the 14th.

The CHAIRMAN. Saturday?

Mr. JONES. Saturday.

The CHAIRMAN. It was about that point of time that I wish to make inquiry. How did the people become possessed of the fact that the Queen had abrogated or intended to abrogate that constitution?

Mr. JONES. Why, the people who were there at the palace—Chief Justice Judd was there and heard her speech; quite a number of the diplomatic corps was there; a great many of the citizens and some members of the Legislature were there when the Queen made this attempt.

The CHAIRMAN. Was this after the Legislature had been prorogued?

Mr. JONES. Yes; immediately after.

The CHAIRMAN. Was it in the Government building?

Mr. JONES. In the palace.

The CHAIRMAN. Iolani?

Mr. JONES. Yes.

The CHAIRMAN. And this assemblage had met there for what purpose?

Mr. JONES. At the request of the Queen. And then it was announced that there was a great deal of delay; they could not understand why they were called there, and it got rumored about that the Queen intended to proclaim this constitution and the ministers were afraid to approve of it.

The CHAIRMAN. That was the rumor?

Mr. JONES. That was the rumor, and it was the fact, too.

The CHAIRMAN. Were you present at the time?

Mr. JONES. I was not; no.

The CHAIRMAN. As a matter of personal information you can not state what actually occurred?

Mr. JONES. No.

The CHAIRMAN. What the Queen said or what anybody else said?

Mr. JONES. No.

The CHAIRMAN. But, if I understand you, the information that such a movement had been made and that the Queen had spoken on that subject was disseminated throughout the community?

Mr. JONES. Oh, yes; by many witnesses who were there.

The CHAIRMAN. When did you get information that the Queen had recalled her intention?

Mr. JONES. On Monday morning.

The CHAIRMAN. Was that the soonest you heard of it, that there was any such intention on her part?

Mr. JONES. Yes.

The CHAIRMAN. So that, between Saturday and Monday, you were under the impression that the Queen had abrogated the constitution?

Mr. JONES. Oh, no. She had attempted to do it, and had told the people that she could not carry out her plans that day, but if they would go to their homes, in a very few days she would proclaim the new constitution.

The CHAIRMAN. Did you ever see that new constitution?

Mr. JONES. No. We offered $500 for a copy of it and could not secure it. Oh, they destroyed it after that.

The CHAIRMAN. Have you any knowledge who it was prepared that instrument?

Mr. JONES. It was said that the Queen prepared it herself.

The CHAIRMAN. With her own hand?

Mr. JONES. That is as I understand it. That is the report that came to us—that it was her own constitution; she prepared the whole of it.

The CHAIRMAN. With your knowledge of the intelligence of the Queen, would you suppose she is capable of drawing up such a constitution?

Mr. JONES. I should say not.

Senator GRAY. Does she speak English?

Mr. JONES. Oh, yes.

Senator GRAY. What is her customary dialect—native language?

Mr. JONES. She will talk English if those who are about her speak English; if there are those about who understand both English and Hawaiian, she prefers to talk the Hawaiian.

Senator GRAY. What is the prevailing language in the city of Honolulu; the Hawaiian language?

Mr. JONES. Yes.

Senator GRAY. Do you use it in your business?

Mr. JONES. Yes.

Senator GRAY. Do the Portuguese use it?

Mr. JONES. Yes.

Senator GRAY. Do the Germans and others use it?

Mr. JONES. Yes.

Senator GRAY. As they do our language here?

Mr. JONES. Yes. All the discussion in the legislature is in English and Hawaiian, because the Hawaiians speak in Hawaiian and then it is interpreted, translated into English, and then those who speak in English, their language is interpreted, translated into Hawaiian.

Senator GRAY. You all understand the Hawaiian language?

Mr. JONES. Not thoroughly.

Senator GRAY. Can you speak it?

Mr. JONES. Well, tolerably well.

Senator GRAY. Do you understand it when it is spoken?

Mr. JONES. Yes. I should hate to attempt an address in Hawaiian.

Senator GRAY. But you understand it?

Mr. JONES. I can understand it for ordinary purposes.

Senator GRAY. Have the Hawaiians any literature in their own language?

Mr. JONES. Very little indeed.

The CHAIRMAN. Before the Monday, before the mass meeting of the citizens of which you speak, did you have any information of the fact, if it was a fact, that the Queen's ministers, the latest ministers, or any of them, had announced that they refused to sign the constitution with her—to assist her in its promulgation?

Mr. JONES. Late Saturday they refused to.

The CHAIRMAN. Well, you had information of that on Saturday?

Mr. JONES. We heard of that on Saturday.

The CHAIRMAN. Whom did that information come from—the ministers?

Mr. JONES. From the ministers themselves; yes.

The CHAIRMAN. Did any of these ministers attend any of these meetings?

Mr. JONES. Yes; Peterson and Colburn were there.

The CHAIRMAN. When you were present?

Mr. JONES. No.

The CHAIRMAN. So that you do not know what they said?

Mr. JONES. No, I do not; I was not present.

The CHAIRMAN. Well, you can state whether it was commonly understood, rumored there, stated among those people, that the ministers had disclosed the fact that the Queen had desired them to join her in the promulgation of this new constitution?

Mr. JONES. Yes. They undoubtedly went into office pledged to support her in it.

The CHAIRMAN. What reason have you for that statement?

Mr. JONES. I think Mr. Colburn clearly pledged himself to it, and the others, too.

Senator GRAY. Do you found that opinion upon that letter which you received?

Mr. JONES. Partially, and from other information. When the Queen—you said I might allude to rumors?

The CHAIRMAN. That is what I was asking about.

Mr. JONES. When the Queen urged them to sign the constitution, they asked for more time. She turned to Peterson and said, "Why more time; you have carried that constitution around in your pocket for more than a month—why do you want more time?"

Senator GRAY. Who gave that account?

Mr. JONES. That came from the Palace that Saturday.

Senator GRAY. By whom?

Mr. JONES. Well, I heard it. Chief Justice Judd told me.

Senator GRAY. That he heard it?

Mr. JONES. I do not know whether he heard it or not; I could not say, but that was the rumor that was about, and I believe it was correct.

The CHAIRMAN. Chief Justice Judd told you?

Mr. JONES. He was at the Palace.

The CHAIRMAN. He told you of the fact, that he had been authentically informed?

Mr. JONES. Yes.

Senator GRAY. Did he state whom he heard it from?

Mr. JONES. No; I could not say that.

Senator GRAY. He stated it as a rumor?

Mr. JONES. Yes.

The CHAIRMAN. That is what I want to get at, whether the common belief of the people in Honolulu was that the Queen had caused to be prepared, or prepared herself, this new constitution, and had asserted her purpose to abrogate the constitution of 1887—supplant it by a new constitution?

Mr. JONES. Yes.

The CHAIRMAN. And it had been carried around in the pocket of Peterson for a month before that time?

Senator GRAY. Let us understand. Do you mean that that was understood for a month before—that he was carrying it around?

Mr. JONES. Not that for a month.

Senator GRAY. That Saturday you heard that?

Mr. JONES. Yes—not that the rumor had been in circulation for a month, but the Queen declared that he, Peterson, had carried the constitution in his pocket for a month.

Senator GRAY. That rumor came out on Saturday?

Mr. JONES. On Saturday, yes.

The CHAIRMAN. State whether it was a part of the understanding of the general community that the ministry had refused to sign this new constitution with the Queen.

Mr. JONES. That day, yes.

The CHAIRMAN. I mean on that Saturday?

Mr. JONES. On that Saturday.

The CHAIRMAN. That was the public understanding?

Mr. JONES. They did. It was unquestionably so—they declined on that day to sign it.

The CHAIRMAN. On Saturday?

Mr. JONES. Yes.

The CHAIRMAN. And they gave information to the community that the Queen demanded of the ministry that they sign the constitution, and they refused to do it?

Mr. JONES. On that day, yes.

The CHAIRMAN. State whether it was part of that general understanding or rumor that they came to the citizens or any citizens to get advice as to what they ought to do under such circumstances.

Mr. JONES. Yes, they did. But I was not present at those meetings.

The CHAIRMAN. I am speaking of the common understanding of the people.

Mr JONES. Yes.

The CHAIRMAN. Was that a part of it—that they had come to the citizens for advice as to what they should do?

Mr. JONES. They came to Thurston and asked his advice, and they were also present that afternoon at the meeting at W. O. Smith's office. I think that is included in Mr. Blount's report. But I was not present at that meeting.

The CHAIRMAN. Then, as I understand you, it was the common belief among the people of Honolulu from Saturday to Monday that the Queen had attempted to abrogate the constitution of 1887, and she had only failed because the ministry refused to sign with her?

Mr. JONES. Yes.

The CHAIRMAN. And also the common belief that the ministry, or some of them, when they took office had pledged themselves to this change of government?

Mr. JONES. Yes.

The CHAIRMAN. Do you know of any combination or any conspiracy or concerted action or agreement or understanding prior to that revelation for supplanting the Queen in her government?

Mr. JONES. No; I do not.

The CHAIRMAN. Or for establishing a republic?

Mr. JONES. I do not.

The CHAIRMAN. Or for annexation to the United States?

Mr. JONES. I do not. The whole thing was like a thunder clap to the community, so far as I am aware, and nothing was thought of it until Saturday, when it was made public that the Queen was to withdraw the constitution of 1887, and these things culminated very fast. I knew nothing of anything of the kind.

The CHAIRMAN. If there had been any purpose on the part of a number of the people of Hawaii, of Honolulu, to dethrone the Queen

or establish a republican form of government, or different form of government, or enthrone another royal personage, or get annexation to the United States prior to the time that the people were informed of the Queen's intention to abrogate the constitution of 1887, do you think you would have known of it?

Mr. JONES. I think I should, because of my intimacy with different people there.

The CHAIRMAN. You would say that whatever intention was formed in respect of these matters about which I have been inquiring, it arose from public information that was disseminated on that Saturday with regard to the Queen's intentions?

Mr. JONES. Yes, I say that.

The CHAIRMAN. Are you in any way connected with the clergy?

Mr. JONES. I am not. I am a member of the Hawaiian Board of Missions—a lay member.

The CHAIRMAN. To what extent, using the percentage, if you can do so with reasonable approximation of the fact, will you say that the native Kanaka population of Hawaii had become communicants of any Christian church?

Mr. JONES. Well, I should say, speaking without an actual knowledge of the facts, 75 per cent, although Mr. Emerson, who has appeared before you, could give you much better information than I could. I should think that such information might be furnished; but I am very poor at statistics, carrying things in my head.

The CHAIRMAN. So that you think, contrasting this Hawaiian community with pagan communities, the Hawaiian community is a Christian community?

Mr. JONES. Oh, yes.

The CHAIRMAN. They have the observance of the Sabbath?

Mr. JONES. Oh, they are very punctilious about that.

The CHAIRMAN. Have you laws also to assist them in the sanctity of the Sabbath?

Mr. JONES. Yes.

The CHAIRMAN. Is the marriage relation recognized?

Mr. JONES. Yes.

The CHAIRMAN. Is it a secular relation or religious?

Mr. JONES. The marriage relation is a religious ceremony.

The CHAIRMAN. Is it sustained and provided for by law—licensed?

Mr. JONES. Oh, yes; the marriage relations there are just as strict as they are here.

The CHAIRMAN. In regard to deceased persons, do they have regular administration of estates?

Mr. JONES. Yes.

The CHAIRMAN. Have persons by law the right to bequeath their property?

Mr. JONES. Yes.

The CHAIRMAN. Have you courts to enforce those rights?

Mr. JONES. Yes.

The CHAIRMAN. The laws in respect to temperance—what is the general character of them?

Mr. JONES. There are quite a number of laws on the statute books regulating the sales of liquors, and it is only for want of public opinion that many of them are not enforced. There is a general looseness there about enforcing some of the laws. The police are never anxious to do anything of that sort unless spurred on by public sentiment.

Senator GRAY. They do not differ from communities here?

Mr. JONES. Very like here.

The CHAIRMAN. Is the Kanaka element in the island addicted to intemperance?

Mr. JONES. Many of them.

The CHAIRMAN. Well, take the majority.

Mr. JONES. I am sorry to say that I think so, if they get the opportunity—not all of them, but I would say a majority.

The CHAIRMAN. So that it is an evil that is not to be controlled absolutely by public opinion, but you find it necessary to enact laws?

Mr. JONES. Oh, yes.

The CHAIRMAN. Are they of a stringent character?

Mr. JONES. Stringent—that is, some; particularly as to licenses. We have a high license. There are many stipulations in the license which, if rigidly observed, would make a great deal of difference in the liquor habit.

The CHAIRMAN. Is the distillation of spirits by Government authority?

Mr. JONES. Oh, yes.

The CHAIRMAN. Whoever distils spirits there must have a Government license?

Mr. JONES. Yes.

The CHAIRMAN. And your tariff laws—do they relate to the importation of liquors?

Mr. JONES. There is a high tariff on liquors.

Senator GRAY. To promote home manufacture?

Mr. JONES. No; that is more for the sake of revenue. There is nothing done there in the way of home manufacture.

Senator GRAY. I understood you to say awhile ago that the distillation law was largely for the purpose of encouraging home manufacture.

Mr. JONES. This law that was passed I am not familiar with. It was introduced before I went into the House. I think it became a law during my incumbency, as I stated to Senator Morgan early in our conversation. I am not familiar with it.

Senator GRAY. It was this last law to which you refer?

Mr. JONES. Yes. It was introduced, I think, by someone to make it a sort of popular thing with some of the natives, and there has never been anything done about it since.

The CHAIRMAN. This Provisional Government in Hawaii, as I understand it, has repealed that opium law?

Mr. JONES. Yes, and the lottery law.

The CHAIRMAN. They have not repealed the distillation bill?

Mr. JONES. No.

The CHAIRMAN. On the subject of education. You have given a very flattering account of the progress of education in Hawaii. Who have had that subject in charge since the first appearance of civilization in the Hawaiian Islands—mainly in charge?

Mr. JONES. The missionaries, originally. Since then the board of education, which has always been made up of our very best citizens. Prof. Alexander, who is to appear before you, has been and is now acting president of the board of education, and he is very familiar with that question.

The CHAIRMAN. Then I will not trouble you on that question. But I will ask you this—whether in the absence of the labor of the mis-

sionaries in the direction of educating the people they would have been educated to the degree they are now?

Mr. JONES. Oh, no; it was owing to the missionaries that the Hawaiians have been brought to what they are.

The CHAIRMAN. What King was on the throne when you went to Hawaii?

Mr. JONES. Kamehameha IV.

The CHAIRMAN. What year did you say that was?

Mr. JONES. That was in 1857.

The CHAIRMAN. That was after the constitution of 1854 had been proclaimed?

Mr. JONES. Yes.

The CHAIRMAN. Did Kamehameha IV have in his cabinet any of the American missionary element?

Mr. JONES. In my day, no.

The CHAIRMAN. Did he have any American citizens in his cabinet?

Mr. JONES. Oh, he had, I think, David L. Gray. I think he took the position of minister of finance in the cabinet of Kamehameha IV.

The CHAIRMAN. How long did he remain in office?

Mr. JONES. I do not remember; two or three years, perhaps.

The CHAIRMAN. Was there any other person who was a member of the Kamehameha cabinet—Kamehameha IV—any American citizen?

Mr. JONES. I do not remember any American except Gray. Mr. Wilie, a Scotchman, was in for many years.

The CHAIRMAN. Was he a missionary?

Mr. JONES. Oh, no; he was rather an anti-missionary.

Senator GRAY. What do you mean by "anti-missionary?"

Mr. JONES. I do not think he was in full sympathy with the missionaries. I would not call him what we call an anti-missionary man to-day.

Senator GRAY. What was he?

Mr. JONES. He was minister of foreign affairs for many years.

The CHAIRMAN. Then Kamehameha V had white men in his cabinet?

Mr. JONES. He had three Americans in his cabinet.

The CHAIRMAN. Who were they?

Mr. JONES. He had Charles Coffin Harris, formerly of New Hampshire; he had J. Mott Smith, who was then Hawaiian minister here; he had Stephen H. Phillips, a lawyer. Phillips was his attorney-general.

The CHAIRMAN. All Americans?

Mr. JONES. Yes.

The CHAIRMAN. American citizens?

Mr. JONES. American citizens; yes.

The CHAIRMAN. Then did he have other white men, from Europe, in his cabinet—I mean Kamehameha V?

Mr. JONES. Yes; he had Dr. Hutchinson for years; I think he was an Englishman.

The CHAIRMAN. Well, the next King?

Mr. JONES. The next King was Lunalilo; he lived but fourteen months. That cabinet was comprised of three Americans. They always speak of the missionary children there as Americans, because they always claim to be Americans. That cabinet was composed of Hon. C. R. Bishop, minister of foreign affairs; E. O. Hall, minister of the interior—he was formerly connected with the mission; and A. F. Judd, who was attorney-general.

The CHAIRMAN. And then chief justice of the supreme court?

Mr. JONES. Yes. He was attorney-general.

The CHAIRMAN. Under Lunalilo?
Mr. JONES. Yes.
The CHAIRMAN. Then, after Lunalilo came Kalakaua?
Mr. JONES. Yes.
The CHAIRMAN. Did he have Americans in his cabinet?
Mr. JONES. Yes. He had A. S. Hartwell in his first cabinet and Sam Wilder, an American. I forget the other two now. He had a great many cabinets. There were generally one or more Americans in his cabinet.
The CHAIRMAN. He changed his cabinet very often?
Mr. JONES. Yes.
The CHAIRMAN. Were those changes made because of want of confidence?
Mr. JONES. Oh, no. It was his own sweet will that he turned them out.
Senator FRYE. That is, he was King.
Mr. JONES. Yes.
The CHAIRMAN. Did Kalakaua have the right to dismiss his cabinet without the Legislature?
Mr. JONES. Yes, under the constitution of '87.
The CHAIRMAN. Under that provision of the constitution giving authority he made frequent changes in his cabinet?
Mr. JONES. Yes.
The CHAIRMAN. Now, speaking of these men in the different cabinets, commencing with Kamehameha V down to Kalakaua and his cabinets, were any of these men impeached by the people of Hawaii for any disloyalty to the Government?
Mr. JONES. No.
The CHAIRMAN. Or any crime against the Government?
Mr. JONES. No.
The CHAIRMAN. Were they men of fine character?
Mr. JONES. Many of them were. Do you include Kalakaua?
The CHAIRMAN. I am speaking of the first cabinet of Kalakaua?
Mr. JONES. I should say most of them were men of good character.
The CHAIRMAN. You would consider that they were not a disintegrating or disloyal element in the monarchy?
Mr. JONES. No.
The CHAIRMAN. They gave full support there?
Mr. JONES. They gave full support there. Yes, so far as I ever knew. Of course I knew nothing of the inner workings of the Government in those days. But none of them were ever impeached for dishonesty of purpose, doubted, to my knowledge.
The CHAIRMAN. What is the opinion among the more intelligent people of Hawaii as to the reasons that influenced Kalakaua to make so many changes in his cabinet?
Mr. JONES. Well, for the purpose of gaining supreme power. If he found an obstacle in his way he would do it at once.
The CHAIRMAN. Was it the opinion of the people of Hawaii that Kalakaua wanted that supreme power of government for the benefit of the government, or for his personal advantage?
Mr. JONES. For his personal advantage only.
The CHAIRMAN. There was at one time a colony of Mormons there?
Mr. JONES. Yes.
The CHAIRMAN. Who established that colony?
Mr. JONES. Gibson. He was afterwards Kalakaua's factotum.
The CHAIRMAN. In Kalakaua's cabinet?

Mr. JONES. Yes.

The CHAIRMAN. Do you know where Gibson came from before he arrived at the Hawaiian islands?

Mr. JONES. I think he came from the Mormon settlement in Salt Lake.

The CHAIRMAN. Do you remember whether he brought any Mormons over with him?

Mr. JONES. I do not.

The CHAIRMAN. Was there in any particular part of the islands a populous Mormon colony?

Mr. JONES. The island of Lanai was set apart as a colony for Mormons—as a Mormon settlement.

The CHAIRMAN. Who controlled that settlement?

Mr. JONES. Gibson.

The CHAIRMAN. It was after that settlement was made—set apart—that Gibson became a member of Kalakaua's cabinet?

Mr. JONES. Oh, yes; long after.

The CHAIRMAN. How long did Gibson remain in Kalakaua's cabinet?

Mr. JONES. He remained through several changes. Gibson would always be in the new deal.

The CHAIRMAN. During the time that Gibson was a member of Kalakaua's cabinet Don Celso Cæsar Moreno appeared there?

Mr. JONES. I have forgotten. I think Moreno—I have forgotten; I was away when Moreno went in; I was away in the States.

The CHAIRMAN. You do not know of that except by public reputation?

Mr. JONES. I was not there.

The CHAIRMAN. He became a member of the cabinet?

Mr. JONES. Moreno?

The CHAIRMAN. Yes.

Mr. JONES. He was there only three days.

The CHAIRMAN. He became a member of the cabinet?

Mr. JONES. Yes, minister of foreign affairs for three days, I think.

The CHAIRMAN. Do you know what circumstances led to his being dismissed?

Mr. JONES. At the request of a public meeting.

The CHAIRMAN. Of the citizens, demanding that he should be removed?

Mr. JONES. Yes; and he was. As I say, I was not there at the time.

The CHAIRMAN. I am speaking of the general rumor or historical traditions of Hawaii on that subject. Before his removal what disposition did he make of the foreign ministry?

Mr. JONES. Who?

The CHAIRMAN. Moreno.

Senator FRYE. During the three days that he was in there, what did he do?

Mr. JONES. I have forgotten. For matters of history you will find Prof. Alexander right up. He has written a history of the islands.

The CHAIRMAN. I was trying to get from you the general impressions of the people of Hawaii on this subject. I know you do not know it in detail. Did Moreno leave the islands?

Mr. JONES. Oh, he had to leave.

The CHAIRMAN. Was he banished?

Mr. JONES. The opposition was so great that he had to leave.

The CHAIRMAN. He came there, to the islands, from China?

Mr. JONES. I have not known anything of him since that time, only that he has been here in Washington. I have heard of him occasionally.

The CHAIRMAN. Had the people of Hawaii any opinion as to the reasons or causes which gave Moreno the ascendancy over Kalakaua—made him premier of Kalakaua's cabinet?

Mr. JONES. I am not aware of the reasons?

The CHAIRMAN. You do not know the reasons?

Mr. JONES. No.

The CHAIRMAN. No public sentiment or belief in regard to the reasons?

Mr. JONES. None that I know of.

The CHAIRMAN. What became of Gibson?

Mr. JONES. Gibson in 1887—the revolution of 1887—was put out of office, and then he was virtually deported. He went to California and never returned.

The CHAIRMAN. What became of his Mormon colony that he took over with him?

Mr. JONES. That disappeared, went to pieces, and then Gibson obtained possession of the island of Lanai for his own purposes, and that is all broken up now.

The CHAIRMAN. Did he sell it?

Mr. JONES. No; his daughter inherited the property of Lanai.

The CHAIRMAN. She is in possession of the whole island?

Mr. JONES. Yes.

The CHAIRMAN. About how much?

Mr. JONES. There are crown lands there and other lands in the island. She is the owner of the property that was originally purchased for the Mormons, as I understand.

The CHAIRMAN. This daughter has succeeded to the title?

Mr. JONES. She enjoys all that Jones died possessed of.

The CHAIRMAN. Considerable estate?

Mr. JONES. Yes.

The CHAIRMAN. About how much?

Mr. JONES. I suppose it is worth perhaps $100,000. And there is something of a mortgage upon it; I do not know how much. I have never been on the land.

The CHAIRMAN. Do you know the area?

Mr. JONES. I do not know.

The CHAIRMAN. You do not know whether it is good land or not?

Mr. JONES. It is mostly for sheep-raising; very little for other purposes. I have never been upon the land.

The CHAIRMAN. You have mentioned two members of the Kalakaua cabinet—Moreno and Gibson. Was there any other man in Kalakaua's cabinet whose reputation was not good among the people of Hawaii for honesty and loyalty?

Mr. JONES. I do not recall to mind any others. I do not know how many he had. He had a large number of cabinets, but I do not recall any of them to mind just now but those two.

The CHAIRMAN. Were Gibson and Moreno there in the cabinet before this revolution of 1887 occurred?

Mr. JONES. Yes; Gibson was in the cabinet in the revolution.

The CHAIRMAN. During the revolution?

Mr. JONES. Yes.

The CHAIRMAN. And he was dismissed in consequence of the revolution?

Mr. JONES. Yes.

The CHAIRMAN. Just state generally the manner in which that revolution was set on foot.

Senator GRAY. What revolution?

The CHAIRMAN. Of 1887. State generally the manner in which the revolution was set on foot. I mean by that whether it was done by the citizens meeting or by the King himself, or how?

Mr. JONES. It was by a series of acts of the King that stirred the citizens up, and a secret league was formed. An organization that culminated in a mass meeting and a demand for a new constitution to clip the wings of the King—to which the King acceded without any question.

The CHAIRMAN. Did he first make resistance by arms?

Mr. JONES. No; his native soldiers all fled. He was in a much better position to resist than Liliuokalani was when the revolution of last year came. But he could not depend upon his native forces.

The CHAIRMAN. They abandoned him?

Mr. JONES. They abandoned him and there was no courage in him.

The CHAIRMAN. Did they abandon him through fear or disgust?

Mr. JONES. Oh, through fear.

The CHAIRMAN. Fear of the people?

Mr. JONES. Yes; he did a great many things that were unbecoming a king. His ambition was to get control of everything, and the people rose up and stopped it. And his sister seems to have followed right in his footsteps.

The CHAIRMAN. Kalakaua was seated on the Hawaiian throne by an act of the Legislature?

Mr. JONES. Yes.

The CHAIRMAN. Under the constitution of 1860?

Mr. JONES. 1860.

The CHAIRMAN. He was not a member of the royal family?

Mr. JONES. No.

The CHAIRMAN. Was any vote of the people of Hawaii taken as to whether Kalakaua should be by them elected king?

Mr. JONES. No; no vote of the people; vote of the Legislature. He was not the choice of the people by any means.

The CHAIRMAN. Who would have been the choice of the people at that time?

Mr. JONES. Queen Emma.

The CHAIRMAN. She had royal blood in her?

Mr. JONES. No; she was the wife of Kamehameha IV. Lunalilo submitted his election to the people and he got almost the entire vote of the country. I think there were only six votes against him. When he died he declined to appoint his successor. He was allowed by the constitution to appoint his successor, but he declined to do it. He said he was elected by the people, and he would rather submit it back to the people. The Legislature had the power under the constitution to elect a king, and they elected Kalakaua.

The CHAIRMAN. A man without any pretensions to royal blood?

Mr. JONES. Yes; he had no pretensions to royal blood?

The CHAIRMAN. There was a person at the time of his election in Hawaii, a relative of the royal family?

Mr. JONES. Mrs. Bishop was one of the Kamehamehas, but she declined to take the throne also.

The CHAIRMAN. Was there not a man?

Mr. JONES. Kuniakea, do you mean?

The CHAIRMAN. Yes; he was a scion of the royal family?

Mr. JONES. I think he was, perhaps, an illegitimate son of Kamehameha III; I am not sure.

The CHAIRMAN. Not recognized as belonging to the royal family.

Mr. JONES. No.

The CHAIRMAN. Is he still living?

Mr. JONES. Yes, he is still living.

The CHAIRMAN. But no importance attaches to him as of royal blood?

Mr. JONES. No.

The CHAIRMAN. So that the election of Kalakaua was an entire departure, so far as the royal blood was concerned—a new dynasty?

Mr. JONES. Yes; a new dynasty altogether.

The CHAIRMAN. And Liliuokalani?

Mr. JONES. Liliuokalani is the sister of Kalakaua. Princess Kaiulani is the daughter of Princess Likelike.

The CHAIRMAN. So that Kaiulani is the niece of Liliuokalani?

Mr. JONES. Yes.

The CHAIRMAN. How did Liliuokalani become possessed of royal authority?

Mr. JONES. Her brother appointed her his successor, under the old constitution.

The CHAIRMAN. Under the constitution of 1860?

Mr. JONES. Yes.

The CHAIRMAN. Was that done before the revolution of 1887?

Mr. JONES. Oh, yes. It was done almost, I think, as soon as he ascended the throne. He appointed his brother and then his sister. He appointed his brother first and then his sister Liliuokalani, and she appointed, under the constitution of 1887, Kaiulani as her successor.

The CHAIRMAN. That was after Liliuokalani ascended the throne?

Mr. JONES. Yes.

The CHAIRMAN. So that Kalakaua was elected by the Legislature, and during his reign he appointed his sister Liliuokalani his successor?

Mr. JONES. Yes.

The CHAIRMAN. Then came the revolution of 1887 and the new constitution of 1887?

Mr. JONES. Yes.

The CHAIRMAN. That did not disturb Liliuokalani's appointment under the constitution of 1860?

Mr. JONES. No, they recognized that.

The CHAIRMAN. Were the claims of Liliuokalani in any way submitted to the people?

Mr. JONES. No.

The CHAIRMAN. Or of Kaiulani?

Mr. JONES. No.

The CHAIRMAN. None were since Lunalilo VI?

Mr. JONES. No.

The CHAIRMAN. That was done entirely on his request?

Mr. JONES. Yes.

The CHAIRMAN. Having his successor confirmed by the people?

Mr. JONES. Yes.

The CHAIRMAN. Has any constitution ever been submitted to the people for their vote or ratification?

Mr. JONES. No.

The CHAIRMAN. Any amendment?

Mr. JONES. Amendment? Yes—not to the people direct.

The CHAIRMAN. I mean to the people. The process of amendment

is by majority vote, and it goes to the next Legislature, and by a two-thirds vote it becomes an amendment to the constitution.

Mr. JONES. Yes. There were one or two amendments to the constitution of 1887 at the last Legislature. That is, the former Legislature voted and it was confirmed by the present Legislature.

The CHAIRMAN. But there has been no original vote on an amendment of the constitution or an original amendment by the people?

Mr. JONES. No.

Senator FRYE. The present constitution takes from the Queen practically all power, does it not, and vests it in the cabinet?

Mr. JONES. Yes. There is no act of hers that is valid without the signature of one of the ministers. The ministers are directly responsible, and she is not responsible.

Senator FRYE. I understand that; we have the constitution. Now, when you went into the Government building to take possession the Queen's ministers disappeared, as I understand?

Mr. JONES. Yes.

Senator FRYE. And you immediately took possession of the various offices of the building, the archives, the treasury, and everything?

Mr. JONES. Yes.

The CHAIRMAN. Now, when you were at that mass meeting at the armory building, was not information conveyed to that meeting that the Queen was going to postpone that new constitution, and was not the question asked that meeting whether that would do?

Mr. JONES. Yes.

Senator FRYE. What was the reply?

Mr. JONES. The unanimous reply was, "No, no." They would not believe in it. Kalakaua tried the same dodge.

Senator FRYE. In Mr. Blount's report he speaks of the Queen having six or seven hundred troops and sixteen cannon, etc. Did the Queen have any such people there?

Mr. JONES. No. There were about, as far as we were informed, fifty or sixty men down at the station house, and there were seventy or eighty troops at the barracks.

Senator FRYE. What are those Hawaiian troops—the Queen's Guard?

Mr. JONES. Yes; around the palace; do palace duty, do the reviewing on state occasions, and things of that sort.

Senator FRYE. That Queen's Guard and the police at the police station made no attempt during all these proceedings against your meeting or toward taking possession of the Government building?

Mr. JONES. No.

Senator FRYE. Were your people armed at the public meeting?

Mr. JONES. Many of them may have had pistols on them, but not to my knowledge. I saw no arms.

Senator FRYE. Was any attempt made to disperse that meeting?

Mr. JONES. No. The only attempt made was by getting up a counter meeting to draw people away from attending. But the house was packed.

Senator FRYE. Now, as to the landing of troops. You were there shortly after the troops were landed? You were in Honolulu?

Mr. JONES. Yes, I was in Honolulu.

Senator FRYE. Do you know where the troops were located and why they were located and how?

Senator GRAY. Of your own knowledge.

Mr. JONES. Oh, yes. I know that there was a squad stationed at

the American minister's, and another one at the American consul's, and the balance of them at Arion Hall.

Senator FRYE. And Arion Hall was off to the east or west of the Government building?

Mr. JONES. West of the Government building.

Senator FRYE. A street between?

Mr. JONES. Yes.

Senator FRYE. Do you know whether or not any attempt was made to obtain other locations?

Mr. JONES. I think there was an attempt made to secure the Music Hall, just in front.

Senator FRYE. That failed?

Mr. JONES. That failed.

Senator GRAY. Of your personal knowledge?

Mr. JONES. All I know of that is, I have read the reports of it. That is the way I obtained the knowledge.

Senator FRYE. You were at the Government building frequently. Did you ever see, during this revolution, any of the American soldiers marching on the streets?

Mr. JONES. No.

The CHAIRMAN. Did you, as a member of the new Government, expect to receive any assistance from them?

Mr. JONES. No.

The CHAIRMAN. Do you know whether or not your fellows were looking for any help?

Mr. JONES. I never knew that they were.

Senator FRYE. As a matter of fact, did they give any assistance to the revolution at all?

Mr. JONES. No.

The CHAIRMAN. Let me ask you right there, is it your belief that that revolution would have occurred if the *Boston* had not arrived in the harbor?

Mr. JONES. I believe it would have gone on just the same if she had been away from the islands altogether.

Senator GRAY. Was anything said in your conferences that day or the next in regard to the troops—anything said about that at all in your hearing?

Mr. JONES. No. I was not at any of those meetings until Tuesday.

SWORN STATEMENT OF ZEPHANIAH SWIFT SPALDING.

The CHAIRMAN. You are a native of the United States?

Mr. SPALDING. Yes; I was born in Ohio.

The CHAIRMAN. What is your age?

Mr. SPALDING. I am 56—was born September, 1837.

The CHAIRMAN. When did you first go to Hawaii?

Mr. SPALDING. I was sent out to Hawaii in 1867 by Secretary Seward.

The CHAIRMAN. As an official of any character?

Mr. SPALDING. Yes, I was what was termed secret or confidential agent of the State Department. I was bearer of dispatches to the minister at Washington and under pay from the State Department, from its secret-service fund.

The CHAIRMAN. Was there any particular emergency of the Government in Hawaii that caused you to be sent there?

Mr. SPALDING. It was at that time the treaty of reciprocity was being talked about and advocated, and Secretary Seward wished to have all the information possible upon that subject. My instructions were rather indefinite. I received my instructions from the Secretary himself, and, as he told me, he did not wish to be committed by putting explicit or specific instructions upon paper, but he wished to know what effect the reciprocity treaty would have upon the future relations of the United States and Hawaii.

The CHAIRMAN. What was your vocation in life before that?

Mr. SPALDING. I had come out of the army but a short time before.

The CHAIRMAN. What was your rank in the army?

Mr. SPALDING. I commanded the Twenty-seventh Ohio Regiment.

The CHAIRMAN. As Colonel?

Mr. SPALDING. Lieutenant-colonel. Our Colonel was commanding the Brigade.

The CHAIRMAN. What was your age when you went to Hawaii?

Mr. SPALDING. I went out there in 1867. I was then 30 years old. I was born in 1837.

The CHAIRMAN. Were you a married man?

Mr. SPALDING. I was married out there.

The CHAIRMAN. Did you marry a native?

Mr. SPALDING. My wife was born in Honolulu, but her father was from Massachusetts and her mother from New York.

Senator FRYE. Who was your wife?

Mr. SPALDING. The daughter of Capt. James McKee.

The CHAIRMAN. A sea captain?

Mr. SPALDING. Yes; he was wounded on board ship near Honolulu so severely that he was obliged to give up his vessel. He was unable to leave his bed, and his wife went out from New York City to him. He always lived there after that. He was one of the early sugar-planters there.

The CHAIRMAN. Did you continue to reside in Hawaii from the time you went out there as a Government agent?

Mr. SPALDING. Yes; I have lived there most of the time since then. I have been a short time in California. I came over to San Francisco in 1875 or 1876. I lived there about a year, until about the time of the reciprocity treaty being passed, when I went back and purchased the land I have now.

The CHAIRMAN. Where are you residing at present?

Mr. SPALDING. My family is in Paris.

The CHAIRMAN. There, educating your children?

Mr. SPALDING. Yes.

The CHAIRMAN. Where were you during the month of January last?

Mr. SPALDING. I left Honolulu—I think it was on the 4th of January—on the steamer coming to San Francisco—on my return to my family in Europe.

The CHAIRMAN. What stay had you made in Honolulu, on the islands, prior to your return to Paris?

Mr. SPALDING. I had been there, prior to that, three months. I had been there twice during the year. But I had been there about three months putting some new machinery in my factory.

The CHAIRMAN. Refinery?

Mr. SPALDING. No; sugar factory.

The CHAIRMAN. Were you a manufacturer of sugar cane into sugar?

Mr. SPALDING. Yes.

The CHAIRMAN. What is the extent of your landed possessions in Honolulu?

Mr. SPALDING. I have 27,000 acres there; something like 12,000 in fee simple, and the balance—15,000 acres—under lease.

The CHAIRMAN. You are cultivating sugar?

Mr. SPALDING. Yes.

The CHAIRMAN. Anything else?

Mr. SPALDING. Nothing else of any importance.

The CHAIRMAN. You raise provisions, I suppose?

Mr. SPALDING. Oh, yes; I have also a large herd of cattle. This plantation was formerly cattle land.

The CHAIRMAN. On what island is it?

Mr. SPALDING. Kauai.

The CHAIRMAN. Is it a fertile island?

Mr. SPALDING. It is called the most fertile island of the group.

The CHAIRMAN. Do you raise crops there by irrigation?

Mr. SPALDING. Yes.

The CHAIRMAN. So that you have expended a good deal of money there?

Mr. SPALDING. I have expended a good deal of money upon the plantation.

The CHAIRMAN. About how much have you invested there?

Mr. SPALDING. The original investment that I made was only about $60,000 in buying up the land without the cattle, because when I bought it there was hardly a fence on the place.

Senator GRAY. When was that?

Mr. SPALDING. I think it was about fifteen years ago. I think it was in 1878; whether it was just before or after, I do not remember.

The CHAIRMAN. Have you put much machinery upon your plantation?

Mr. SPALDING. Yes, I have expended a good deal of money upon the plantation; money that I have made out of the plantation has mostly gone into it.

The CHAIRMAN. What have been your expenditures for the machinery?

Mr. SPALDING. For the machinery alone?

The CHAIRMAN. Yes.

Mr. SPALDING. I think I have spent $250,000 or $300,000 for machinery.

The CHAIRMAN. Is your machinery very fine?

Mr. SPALDING. Yes. I have what is considered among sugar men one of the most perfect sugar factories in the world—that is, for cane sugar.

The CHAIRMAN. It is located on this island?

Mr. SPALDING. Yes, on the island of Kauai.

The CHAIRMAN. What labor do you employ?

Mr. SPALDING. Just now we are using Japanese and Chinese labor. We have had all kinds of labor, that is, all kinds we could get, because labor has been the one thing that we have been short of.

The CHAIRMAN. How about the native labor; do you employ that also?

Mr. SPALDING. We employ that whenever we can get it; but the

natives are not fond of regular work. I use a good many natives for cattle work.

The CHAIRMAN. That is, located on your lands?

Mr. SPALDING. Yes; they live on the place.

The CHAIRMAN. Talking generally, how are the natives provided with homes; what kind of homes have they?

Mr. SPALDING. They are very comfortable; they have their little lands, what we call *kuleanas*, from which they raise the taro plant.

The CHAIRMAN. Patches of ground which you would sell them?

Mr. SPALDING. Oh, no; patches of ground they have used for a good many years. To explain that I would have to give you some information of our land laws.

The CHAIRMAN. We would like to know how the land became distributed.

Mr. SPALDING. In the reign of Kamehameha III—I do not remember exactly what year he came onto the throne, but I think somewhere about 1820—the King changed from the feudal system, if you might so term it, or the system by which he held all the lands in the country, and everybody was subservient to him, to a system by which he gave away the lands of the Kingdom, divesting himself of this right in, I think, three divisions. He gave certain lands to the Crown, to remain Crown lands forever—large tracts of land; he gave what were termed *kuleanas*—that is, small patches of lands that could be watered, something like a rice patch, sometimes not more than twice the size of this room—lands capable of raising taro, which has been always the food of the people—he gave to the people all these lands, with the proviso that they should make application to the Government, through the proper channel, and receive from the Government what is known as a *royal patent*, and that is where all the titles to lands in that country come from.

The CHAIRMAN. Are these *kuleana* titles fee simple titles?

Mr. SPALDING. They are *royal patent* titles; they are from the Government.

The CHAIRMAN. They are in fee?

Mr. SPALDING. Yes. We consider them the best possible title.

The CHAIRMAN. No reversions?

Mr. SPALDING. No, except mineral rights. But there are no minerals in the country, and never have been.

The CHAIRMAN. What is the third class of lands?

Mr. SPALDING. The third class of lands the King gave to the Government what ore called Government lands.

Senator GRAY. Were they distinct from the Crown lands?

Mr. SPALDING. They were distinct from the Crown lands. The profits from the Crown lands were to revert to the Crown. For instance, I have what are called *ahupuaas* or large tracts of land, sometimes running up into the mountains and containing a great number of acres. Some of these *ahupuaas* belong to the Crown—that is, they were reserved as Crown lands. I pay a rental on these *ahupuaas* to these Crown commissioners.

The CHAIRMAN. Those are what you call the leased lands?

Mr. SPALDING. Yes. Also, we have lands that belong to the Government. These are the lands that the King so set apart—lands which belong to the Government, to the Crown, not to one King or another King, but to the Crown in perpetuity; the others to the people by royal patent. Kamehameha III divided up the land in that way.

The CHAIRMAN. When you came to buy up this large estate to which you have the fee simple title, from whom did you buy it?

Mr. SPALDING. The fee simple title came from the man who had previously owned it.

The CHAIRMAN. Where did he get it?

Mr. SPALDING. I do not know where he got it originally, without looking back over the papers to see where these lands came from. The large chiefs took these pieces as the people took the *kuleanas*.

The CHAIRMAN. So that to this land that you have you derived title from the chiefs?

Mr. SPALDING. Yes; in the old times. And some of them are Crown lands for which I pay rent.

The CHAIRMAN. In the disbursement, were these lands open to native settlers?

Mr. SPALDING. Preference was given to natives who were living upon the *Kuleanas*—there was sometimes 1 acre, sometimes 5, sometimes 10, as the case might be. But the common people generally took the lands that could be watered, for the reason that the big lands running up into the mountains furnished nothing but pasturage; were of no particular use to them.

The CHAIRMAN. In order to raise their native food, taro, the natives were obliged to have water?

Mr. SPALDING. Yes; the lands that could be watered.

The CHAIRMAN. The taro grows in water?

Mr. SPALDING. Yes. It belongs to the *Caladium* family and is known as the *Arum Esculentum*.

The CHAIRMAN. Are the natives, employed by you when not engaged in their own industries?

Mr. SPALDING. A great many of them are when they want work. Some of them raise taro on my land. To some of them I lease land. Some of them work entirely in handling cattle. Some natives I have as overseers.

Senator GRAY. This plant that you call taro. What is its character?

Mr. SPALDING. It is a bulbous root that grows in the moist ground. Taro grows in a certain amount of water, as rice does.

Senator GRAY. Is it anything like the potato?

Mr. SPALDING. Something like the potato. It is starchy in its nature, like the potato; but before it is cooked it has a very strong, pungent flavor and burns the mouth; it must be cooked to eat it.

Senator GRAY. Something like the turnip?

Mr. SPALDING. Like the Indian turnip when it is raw. But taro after baking, or boiling, becomes like a potato, and can be mashed up.

Senator GRAY. That is the staple food of the islands?

Mr. SPALDING. That is the staple. When it is mashed it becomes *poi*. After it has been broken up, it becomes like hasty pudding. When they mix it with water and allowed to stand it becomes sour, and they prefer it as it becomes more and more acid.

Senator GRAY. Do the natives make a liquor of it?

Mr. SALDING. No. From the *ti* plant they make liquor.

Senator GRAY. You have eaten taro?

Mr. SPALDING. Oh, yes.

The CHAIRMAN. Is it palatable?

Mr. SPALDING. Very nutritious and pleasant to the taste, especially

after you become accustomed to the *poi*. The natives eat it with the finger, when it is thick. When thick they eat it with one finger, a little thinner with two, and a little thinner with three or four. They dip it up with their fingers, roll it around and put it in their mouths.

The CHAIRMAN. Is this a food common to all those countries?

Mr. SPALDING. Common to the Pacific islands.

The CHAIRMAN. How many natives have you upon your estate?

Mr. SPALDING. We have not a great many natives on Kauai. Within the limits of my lands I do not think there are over 500.

The CHAIRMAN. Do you find the natives tractable, people easy to be controlled?

Mr. SPALDING. Oh, yes. I have never found the natives to be anything else. They are a good-natured people, not prone to quarrelling or fighting.

The CHAIRMAN. How are they about public affairs; do they feel much interest in political affairs?

Mr. SPALDING. They are very fond of lawsuits; they are very fond of arguing, very fond of making speeches. I have known a native to talk for two or three hours. Of course, he would repeat himself a good many times. But they are very fond of everything of that kind. We have a great many native lawyers. They have a great idea of making speeches.

The CHAIRMAN. Of course, then, in their speeches they are fond of talking about politics?

Mr. SPALDING. Oh, yes; they talk about politics and most anything else. They ring in anything in a political speech.

The CHAIRMAN. Do they seem to take any real, deep or sincere concern in public affairs, management of the Government?

Mr. SPALDING. No, not as a rule.

The CHAIRMAN. What do you say of them as a governing race?

Mr. SPALDING. I have always found them very easily governed.

The CHAIRMAN. No, not to be governed, but as governing.

Mr. SPALDING. They acquire an education up to a certain point very readily, and all kinds of education, musical and others; but that point is not very high up in the scale. They are apt to be very fanciful in their ideas, rather than practical. We have never found any of them to be practical enough to transact business of any importance.

The CHAIRMAN. Do you know any native Hawaiians who could take your sugar estate, for instance, and make a success of it?

Mr. SPALDING. I do not think there was ever a native on the islands who could run it for five years without ruining it. I was in partnership with Kamehameha V when he was King, and got to know him pretty well. I started a sugar plantation on the island of Maui at his request. He owned an interest in the plantation. I agreed to take the management of it on certain terms. In the management of the plantation I came in contact with the governor of Maui, who was an old-fashioned native and quite smart for his times. I found there was so little business about him that we were constantly having trouble.

Senator GRAY. You mean the governor and you?

Mr. SPALDING. Yes, about the King's lands. His idea was that the mill should furnish money for the planting of the cane, and the King to get his rent whether the proceeds came to the amount advanced or not. That is a matter we could not agree upon, and I sold out my interest.

The CHAIRMAN. I would like to ask you about the healthfulness of the Hawaiian Islands.

Mr. SPALDING. I think a large part of the race is diseased.

The CHAIRMAN. I am speaking of the healthfulness of the climate.

Mr. SPALDING. The climate is a very salubrious one, and particularly good for young people and very old people. It is not a good climate for an active man, because it is too even and equable to be, perhaps, healthful for a vigorous man.

Senator GRAY. Enervating?

Mr. SPALDING. Enervating, yes.

The CHAIRMAN. You spoke of the whole population in a certain sense being diseased. That is not the result of any climatic condition?

Mr. SPALDING. No. If I had the time and you had the leisure, I could tell you from my own experience with the natives how easy it was for them to drift into corrupt ways of life and government. They are naturally indolent and careless about health or property. Kalakaua, the last king, was a good-natured, indolent sort of man. He was a man of very fair education; but he was, of course, a thorough native, and his idea of morality was not very great. I had occasion to know him pretty well, because he owned a quarter interest in my plantation at one time. He undertook to furnish the native labor to do the work, which would have been a valuable consideration for the plantation. If that had been carried out it would have been quite consistent with business views to have furnished him the means of paying the assessments on the interest which he held. But within a very few months after he attempted to do this, I found it was utterly useless to depend on him. He had engaged people to do work in the fields. They would start out to do the work, then would stop and have a little talk over it, and then go fishing instead of going to work. The result was the first crop was less than a ton of sugar to the acre on land that I have harvested since 4 to 5 tons to the acre, by good cultivation. I was obliged to buy Kalakaua out. I held his notes, and the ex-Queen, his sister, who had some property, was the indorser on the notes, but I gave his notes back to him and took his interest, simply because there was no use in my carrying him, finding that he could not get the labor to help me carry on the plantation.

The CHAIRMAN. He was not a man of business capacity?

Mr. SPALDING. No, none of them are. They attempt to do some things. The King used to go down to the plantation himself and ride around; but it was simply the lack of capacity on the part of the native to carry out any important business. That is why the whole country, so far as it is worth anything, has drifted into the hands of others.

The CHAIRMAN. You knew Kalakaua, I suppose, and his personal and political history at the time he was King?

Mr. SPALDING. Yes.

The CHAIRMAN. And up to the revolution of 1887?

Mr. SPALDING. Yes.

The CHAIRMAN. When that revolution was inaugurated, was it done by any particular organization for the purpose of annexing the islands to the United States?

Mr. SPALDING. There was no particular talk of annexation at that time. But there was an organization gotten up for the purpose of forcing the King into a better form of government. He had rather undertaken to do the whole business himself—in this way: he had a minister of foreign affairs who was also ex-officio minister of the interior, ex-officio minister of finance, and ex-officio attorney-general.

The CHAIRMAN. Who was that?

Mr. SPALDING. Gibson. When one of his cabinet associates would resign Gibson would take the office himself, and he was the moving spirit of the whole Government. He had gotten into the good graces of Kalakaua, so that he was the governing spirit of the country, and he was treating the King with a good deal of deference until he had obtained this power. We put up with it so long as it was possible to put up with a thing of that kind, and finally this organization was formed for the purpose of changing this business.

The CHAIRMAN. What was that organization called?

Mr. SPALDING. I do not know that you can say there was any particular name; it was a League.

The CHAIRMAN. Was it a secret or public organization?

Mr SPALDING. It was a secret organization.

The CHAIRMAN. Were you a member of it?

Mr. SPALDING. I was not a known member of it, because, as I told them at the time, if Mr. Gibson knew that I was one of the advisors he might take some pains to thwart it. But I furnished my share of the sinews of war.

The CHAIRMAN. Money?

Mr. SPALDING. Yes.

The CHAIRMAN. After the organization was formed, did you proceed to arm the members of it?

Mr. SPALDING. These arms were all in the hands of private individuals. We had these arms simply in the event of desiring to use them. We then had a meeting of the citizens of Honolulu.

The CHAIRMAN. Outside of the league?

Mr. SPALDING. The league was there, but this was a public meeting where they could come.

The CHAIRMAN. What was the number of that league at the time of the revolution of 1887?

Mr. SPALDING. I could not tell you how many men.

The CHAIRMAN. Give us an idea, whether there were hundreds or thousands.

Mr. SPALDING. Oh, no; it was not anything more than perhaps about a hundred.

The CHAIRMAN. That is, a hundred people of the Hawaiian islands were banded together in a secret organization for the purpose of compelling——

Mr. SPALDING. Reform in the Government. Let me express one thing before going any further. Up to the time of the revolution of 1887 there was what was called the "House of Nobles," not elective—the nobles were appointed for life by the King, so that the King had actually control of the Government.

The CHAIRMAN. That was one of the points of your reform?

Mr. SPALDING. Yes. And we had no way of obtaining a majority vote in that house as against the King on account of his being able to put these nobles in.

The CHAIRMAN. They were his creatures?

Mr. SPALDING. They were his creatures.

The CHAIRMAN. And you had to go to work and create a revolution in the Government to reform the Government?

Mr. SPALDING. Yes.

The CHAIRMAN. To take the nobles out of the King's hands and have them voted for by the people?

Mr. SPALDING. Yes.

The CHAIRMAN. The people who were to vote for the nobles were not the general masses of the voters?

Mr. SPALDING. The people who voted for the nobles must have separate qualifications, property qualifications, separate from the qualifications to vote for the representatives. Both houses sat together.

The CHAIRMAN. But the suffrage was very much larger in respect to election of members of the house than in respect to the election of the nobles?

Mr. SPALDING. Yes.

The CHAIRMAN. They were organized by districts, I suppose?

Mr. SPALDING. Yes.

The CHAIRMAN. When you got to the point of this secret organization, got to the point of a determination to work this revolution in the Government, a meeting of the citizens was held in Honolulu?

Mr. SPALDING. Yes.

The CHAIRMAN. Was that a public meeting?

Mr. SPALDING. Yes.

The CHAIRMAN. Open meeting?

Mr. SPALDING. Yes.

The CHAIRMAN. What was the general character of the declaration made by that meeting?

Mr. SPALDING. Simply that there must be a change in the administration of the Government.

The CHAIRMAN. That the people would no longer submit to the then workings of the Government?

Mr. SPALDING. Yes.

The CHAIRMAN. It was not then, as I understand, a project to destroy the monarchy?

Mr. SPALDING. No.

The CHAIRMAN. Nor to dethrone the King?

Mr. SPALDING. No.

The CHAIRMAN. But to compel him to grant restrictions on his power in favor of the people?

Mr. SPALDING. Yes. We could have made a republic at that time—deposed him.

The CHAIRMAN. Was there anything of the kind in that movement—a desire to make a republic of Hawaii?

Mr. SPALDING. No. There might have been in a few individuals.

The CHAIRMAN. I am speaking of the purpose of that movement.

Mr. SPALDING. It was that the constitution should be so amended that the rights of property and the rights of the white people should be more respected and observed.

The CHAIRMAN. Was there any purpose of annexing the islands to the United States at that time?

Mr. SPALDING. No. One of the principal leaders was an Englishman who was opposed to annexation—even to reciprocity—with the United States.

The CHAIRMAN. So that you intended to let the monarchy remain, and the King on his throne?

Mr. SPALDING. Yes.

The CHAIRMAN. And the constitution to remain intact, except as you had amended it, with the grants in it?

Mr. SPALDING. Yes.

The CHAIRMAN. Therefore the citizens met in this secret society to make demands on the King?

Mr. SPALDING. Yes. These men had armed themselves for mutual protection in the event of its becoming necessary.

The CHAIRMAN. The result was that the King granted the constitution of 1887?

Mr. SPALDING. Yes.

The CHAIRMAN. And it was proclaimed?

Mr. SPALDING. Yes.

The CHAIRMAN. Then the King went on to act under that constitution.

Mr. SPALDING. Yes.

The CHAIRMAN. Of course, under very restricted power?

Mr. SPALDING. The main improvement was this. Under the constitution of 1887 the House of Nobles was abolished and made elective and the King's ministers were made responsible for the Government.

Senator FRYE. They were the Government?

Mr. SPALDING. They were the Government—the King could do no act without the ministry.

The CHAIRMAN. No legislative act?

Mr. SPALDING. No legislative act.

The CHAIRMAN. Could not pass any law?

Mr. SPALDING. No. Of course it reduced him, you can see, to a figurehead. The only thing left to him, and which afterward proved a very great trouble, was the veto.

The CHAIRMAN. The veto was left to the monarch. Then he had the right to appoint his ministers?

Mr. SPALDING. No. He could not appoint his ministers without the consent of the Legislature, of these two Houses. That was the very thing. And he could not discharge his ministry. He had been in the habit of discharging his cabinet one day and appointing a new one the next. Under the new constitution he could discharge his cabinet by the passage through the Legislature of a vote of want of confidence; and he could not appoint a Cabinet without the consent of the Legislature—the cabinet must be approved by the Legislature. It made quite a difference in that way.

The CHAIRMAN. You are familiar with the Hawaiian legislation and Hawaiian affairs up to the time you made your last visit in January, 1893?

Mr. SPALDING. In a general way; not very minutely.

The CHAIRMAN. You knew the state of public opinion?

Mr. SPALDING. I knew how there came to be "two Richmonds in the field." At the time of the constitution of 1887, the first election held under that constitution was without a dissenting vote, almost, and every single member—I do not know of any exceptions—was elected as a candidate or as a member of what was called the reform party. And even the members, natives and others, who had been in the previous legislatures, as you might say creatures of the King to carry out his wishes, voted the reform ticket. I remember that in my district there was not a dissenting voice—every vote was cast in the one line. After a few years this party, known as the reform party, became partially broken up, and some of the members of the reform party who wanted to get into office themselves, started another party, which they called the national reform party. That was the beginning of what has since resolved itself into the two parties; one in favor of the Crown or Sovereign, the other in favor of the people.

The CHAIRMAN. Which is the reform party?

Mr. SPALDING. That which is represented by the Provisional Government is the reform party; the national reform party is represented by the royalists. We had two or three other names to these parties, but these two parties were the original ones.

The CHAIRMAN. When did you last leave Hawaii—before the month of January, 1893?

Mr. SPALDING. I had been there the previous June or July, I think.

The CHAIRMAN. You left in July?

Mr. SPALDING. I think so.

The CHAIRMAN. Had you made a considerable stay during that visit to Hawaii?

Mr. SPALDING. I had been there several months.

The CHAIRMAN. Looking after your personal interests?

Mr. SPALDING. Yes.

The CHAIRMAN. After you left there did you know of any concert of action, conspiracy, open or secret society, organized or projected for changing the Government from a monarchy to any other form of government?

Mr. SPALDING. No.

The CHAIRMAN. Or of dethroning the Queen?

Mr. SPALDING. No, I did not.

The CHAIRMAN. Or of forcing her to accept a particular cabinet?

Mr. SPALDING. No.

The CHAIRMAN. Did you know of any political movement that might be called in any sense a movement in antagonism to the Government of Hawaii at that time—I mean when you were there?

Mr. SPALDING. I did not know of any, and I do not think there was any.

The CHAIRMAN. Had you reasons for knowing there was any?

Mr. SPALDING. I have not seen the signs of any.

The CHAIRMAN. Have you made inquiry?

MR. SPALDING. I have inquired of some of my friends in Honolulu. I was on my plantation most of the time. Of course, I heard of the rumor that word had been received from Washington that annexation might possibly be agreed to or brought about, and I did not believe that any such intelligence had come from Washington, because I had kept a pretty good run of matters here for many years. I differed with my friends there in that respect. Of course, a good many private opinions were to the effect that it would be a very easy matter to annex the country to the United States. I always maintained the ground that it would be a very easy matter to annex the country to the United States so soon as the United States would give us any reason for believing that it would be agreeable on this side. I knew it would not take very much to bring it about if that were so, and I so stated, even last January, before this affair tood place. I was told by one of the present royalists there that $100,000 would be sufficient to upset the monarchy in case annexation could be brought about.

The CHAIRMAN. Have you any objection to giving the name?

Mr. SPALDING. No; that was a Frenchman, Dr. Trouseau. That was his opinion, and I thought the money could be raised; I would be willing to give a reasonable sum myself toward it. But I would not waste any money, and I have not wasted any money on this proposition because I never saw the time that the United States had given us a sufficient indication that the islands would be accepted. I had never seen any.

The CHAIRMAN. How long before this emeute was it that you were last in Honolulu?

Mr. SPALDING. Just a few days before. I was crossing the Atlantic when the vessel arrived at San Francisco with the news.

The CHAIRMAN. Then you went on to Paris with your family?

Mr. SPALDING. Yes. I got the news at Queenstown.

The CHAIRMAN. I want particularly the period when you were in Honolulu.

Mr. SPALDING. January, 1893.

Senator GRAY. And you left there the 4th of that month?

Mr. SPALDING. Yes. I perhaps had not left New York when this thing took place.

The CHAIRMAN. When you left Honolulu in January, 1893, had you any information of a movement that was on foot to annex Hawaii to the United States?

Mr. SPALDING. No; I had information to the contrary. If there was anything going on I was likely to be informed by men who would certainly know about it, men who were afterward engaged in this uprising. I was informed by those men that there was no chance of anything of that kind; that there would be no trouble, so far as they were aware; that there was no organization, and would be no trouble unless something occurred which they did not know about.

Senator FRYE. Then Mr. Stevens must have left on that *Boston* trip about the time you left?

Mr. SPALDING. I do not know whether he was in Honolulu when I left. I think the *Boston* was there. I think Mr. Stevens left about the time I did—just about the time I did.

The CHAIRMAN. From what you stated here, the drift of your inquiry had reference to your personal affairs, as to whether the condition of the country was likely to be firm and prosperous.

Mr. SPALDING. Yes.

The CHAIRMAN. You were not inquiring because of any expectation that there would be an uprising or a revolution?

Mr. SPALDING. No. It was only in regard to the general matter, to the conduct of the future Government.

The CHAIRMAN. You, as a property holder, were inquiring for the purpose of protecting your interests?

Mr. SPALDING. Yes.

The CHAIRMAN. And you made this inquiry of the persons who were afterwards engaged in this emeute, who informed you that nothing of the kind was contemplated?

Mr. SPALDING. Nothing of the kind contemplated at that time.

Senator GRAY. Will you state of whom you made the inquiries?

Mr. SPALDING. One of the gentlemen is Mr. Wilder, who is now one of the council and one of the commissioners to come on here. Mr. Wilder and I had agreed in politics. He knew that I was an annexationist of long standing, and he was a pretty good American himself. We talked the matter over, and he assured me that there was nothing in these rumors of which I had heard incidentally; that there was no news received from Washington that was at all indicative of anything of that kind. I certainly would not have left there if I had thought there would be any change in the Government that way. I should have remained there and been in the thick of it, because I should have considered that my property interests there demanded it.

The CHAIRMAN. Was the rule of Liliuokalani up to the time you left there agreeable to the better part of the population?

Mr. SPALDING. Her rule was not exactly agreeable to herself or any body else because it was a forced rule; she was forced into everything she did. And her last ministry was obliged to force her to every act they accomplished.

The CHAIRMAN. The people were conscious of her reluctance?

Mr. SPALDING. The people were conscious of that, because there was this fight, if you might term it so, between these two parties. But we supposed we had sufficient control in the majority which we possessed in the Legislature and in the cabinet. She had a cabinet before that which was quite obnoxious to the people, and that had been ousted.

The CHAIRMAN. By a vote of want of confidence?

Mr. SPALDING. Vote of want of confidence, and that she must appoint a cabinet agreeable to the Legislature. What we termed the reform party had a majority; that is, it was a coalition of the reform party and the best men of this national reform party—it was the best men of all parties who had joined in this coalition to have a good cabinet appointed, and we deemed we had. When I left there in January things were in better shape than ever before. When I left there appeared to be less liability of any trouble than there had been for a year, because we had the best cabinet that we had had for a long time. That is this Jones-Wilcox cabinet; they were all respectable men—men of position and men whom we could depend on—very safe hands so long as that cabinet remained in possession. But, to the surprise of everybody, the Queen managed to get a majority in the Legislature a very few days after I left, and that cabinet was ousted.

The CHAIRMAN. Was that done by election or manipulation?

Mr. SPALDING. It was done by manipulation.

The CHAIRMAN. Do you recollect when you left Honolulu, in January, 1893, these bills, the opium bill and the lottery bill, were pending before the Legislature?

Mr. SPALDING. We supposed at that time they were killed; because it was understood, of course, that so long as the Wilcox-Jones ministry remained in those bills could not be passed.

The CHAIRMAN. No member of that ministry could be gotten to sign.

Mr. SPALDING. No. And with the majority we had in the Legislature—the cabinet ministers had a vote in the Legislature—the opium and lottery bills could not pass. Of course, we supposed that everything was secure for two years, as the Legislature would be prorogued and this cabinet would hold over for two years, and the Queen could not put them out after the Legislature was prorogued. Therefore, she made the final effort of obtaining a majority in the Legislature just after I left there in January, and after she got that majority she had everything in her own hands.

The CHAIRMAN. When did you return to Hawaii?

Mr. SPALDING. Do you mean when I last returned?

The CHAIRMAN. Yes.

Mr. SPALDING. In October, 1893.

The CHAIRMAN. You were not present, then, during any part of this emeute?

Mr. SPALDING. No, I was not there at all between January and October.

The CHAIRMAN. When you got back to Hawaii, what impression did you find amongst the people there in respect to the means by which Lilioukalani had changed the Legislature so as to get the new

cabinet, so as to get authority, power, to enact the opium bill and the lottery bill—what was the impression?

Mr. SPALDING. The impression as to the means that she used?

The CHAIRMAN. Yes.

Mr. SPALDING. I do not know that I got any very definite idea, except what seemed the result, perhaps, of my own previous knowledge. For instance, on the island of Kauai we elected one of the nobles at the previous election; elected him on the reform ticket. We considered him just as much a member of that Reform party as Mr. Jones, Mr. Wilcox, or anybody else. He was an ignorant old fellow, but good-natured. As there did not seem to be anybody on the island willing to spend the time to attend the sessions of the Legislature, and as this old fellow was willing to go—of course he had to pay his own expenses—he was nominated by this Reform party. He was considered just as good a man, so far as his principles were concerned, as good a Reformist as anyone else. But it was his vote that had been obtained in some way or other which gave the Queen the balance of power—his and that of the son-in-law of this Judge Weidemann. Of course, at the time I left there was no doubt of this noble from Kauai continuing to vote, as he had done before, with the Reform party. But he was a great friend of Paul Neumann who came on here, you remember, in the interest of the Queen. He probably gained this vote for the Queen. Paul Neumann had been in the previous cabinet—had been elected to the Legislature as a noble from Honolulu; only a few months before that he had been elected by a sort of joint vote. The cabinet went out for want of confidence, and he was out of it entirely. This man from Kauai was a sugar planter. We always supposed that he would vote in the same lines that he had always expressed his opinions. We knew his opinions, and he was nominated by this Reform party, nominated against a man who was running as an Independent, but more in favor of the Queen's party than the Reform party. But it was losing this vote that upset the whole thing. I had no reason to think it would happen at the time I left Honolulu.

The CHAIRMAN. What is the opinion, the belief, of the men engaged there in promoting the interests of what you call the reform party as to these men having been corruptly influenced to go into the meshes of the Queen and vote for the opium bill and the lottery bill? What did you find to be the state of opinion in Hawaii about that when you returned?

Mr. SPALDING. I found this—that the men who voted for that opium bill and lottery bill were the men who were known and acknowledged there as being the most corrupt, men of the least reputation. Some of the natives, for instance, with no shadow of reputation, belong to that class or party.

The CHAIRMAN. The class that voted for these bills?

Mr. SPALDING. That voted for these bills.

The CHAIRMAN. I am speaking of the change.

Mr. SPALDING. You mean the effect, the change by which the votes from the reform party were carried over?

The CHAIRMAN. What is the opinion as to the means employed to procure this change?

Mr. SPALDING. Some claim that money was used and others bribery of one kind and another. But I do not think there was any more bribery used than is general in such cases. I think this man from Kauai was influenced more by Paul Neumann simply talking to him.

They are both Germans, and he has a great idea of Paul Neumann's greatness. My own idea would be that he was more influenced by Neumann than any other influence.

The CHAIRMAN. That is your idea?

Mr. SPALDING. Yes.

The CHAIRMAN. What is the prevailing idea or opinion on that subject?

Mr. SPALDING. A great many think there was bribery used.

Senator GRAY. And others agree with the opinion you express?

Mr. SPALDING. I suppose so. But, of course, I could not say much of my own knowledge how the people did regard it. I do not think I paid much attention to it. I know that I heard with a great deal of astonishment of this old fellow from Kauai and his false position toward the reform party.

Senator GRAY. Was he a native?

Mr. SPALDING. No, a German. He married a native, had a native wife.

The CHAIRMAN. What is the present state of things in the Hawaiian Islands?

Mr. SPALDING. It is quite depressed. Of course, certain lines of business that have to be carried on, cultivation of the cane, manufacture of the sugar, and moving of the sugar are going on; but what you call mercantile business, selling supplies and other things, is very much depressed, because of the low price of sugar.

The CHAIRMAN. Is it want of confidence in the Government that produces this depression?

Mr. SPALDING. No.

The CHAIRMAN. Do the people of Hawaii, the native Kanakas, seem to resent this change in the Government?

Mr. SPALDING. I have never seen anything that indicated a marked sentiment.

The CHAIRMAN. You were on your estate there, were you?

Mr. SPALDING. Yes.

The CHAIRMAN. Saw the people who were there?

Mr. SPALDING. Yes.

The CHAIRMAN. Did they exhibit any dissatisfaction at the existing state of affairs?

Mr. SPALDING. No. They have talked among themselves, not with me, but I have heard of their talking about their having something to say in the Government; that is, having a vote, the franchise the same as they had been in the habit of having it. But at the same time I do not think they care particularly about that. I do not think they are much interested in that. If you will allow me to say it—without blowing my own trumpet—when it was asked of the natives in my neighborhood what they thought of the annexation question, they said they wanted first to know what Spalding thought about it; if he did not want to have it, they did not. It shows that I am a sort of adviser to them. They come to me with all their troubles.

The CHAIRMAN. Have you always occupied that position toward them?

Mr. SPALDING. Yes.

The CHAIRMAN. Do you enjoy the confidence of the natives?

Mr. SPALDING. Yes, the best of them, because they always know that they can come to me, and my manager when I am away, and have any benefits which are necessary, any assistance which is necessary. For

instance, when they want a church, I give them a piece of land to put it on, and give them the use of my carpenters in building it, and help them secure the money to build it with—help them secure their churches and schools.

The CHAIRMAN. Are the natives interested in such matters as those?

Mr. SPALDING. Yes; they are all, as a rule, interested in their little churches and in their schools. We have two quite good-sized schoolhouses, which makes quite a large school, on my own plantation, a short distance from the mill. I gave the land to them and assisted them in putting up their building. The school may be said to be right under my eye. My financial clerk is the agent of the Government school board, or board of education, in all its financial transactions.

The CHAIRMAN. Do the natives participate in all these public institutions?

Mr. SPALDING. Yes.

The CHAIRMAN. Freely and with spirit?

Mr. SPALDING. They attend these schools. Education is compulsory up to a certain age.

The CHAIRMAN. Are the people in harmony with that sentiment of progress, improvement, and enlightenment?

Mr. SPALDING. As far as you could expect them to be.

The CHAIRMAN. Is there any antagonism to it?

Mr. SPALDING. I think not. In some cases, where the natives are by themselves, away from the plantations, they may have been imbued with the idea that the foreigners are aggressive people, trying to get possession of their property, and it is necessary to fight them off; and in political campaigns stories have been told to them by office-seekers that would, perhaps, in some instances, estrange them from foreigners with whom they would otherwise have been on good terms.

The CHAIRMAN. So that you would say that amongst the native Kanaka population the general drift of feeling or opinion would be in favor of those institutions first established by the missionaries?

Mr. SPALDING. Yes. And the natives have looked more upon the United States as the father of their Government. They always speak of the American war ships as "our war ships," in contradistinction from the British war ships; and the 4th of July, has been the gala day of the country. We have the Kamehameha day. The Kamehameha day is the first; that is the 11th of June; but they have always celebrated the 4th day of July as the gala day of the country.

The CHAIRMAN. Kamehameha I was a chief?

Mr. SPALDING. He was a high chief. He was not Royal blood but he was a nephew of one of the Kings of Hawaii.

The CHAIRMAN. At the time he came to the front there were kings over these islands?

Mr. SPALDING. A half dozen. There were three kings on Hawaii alone.

The CHAIRMAN. He established himself by uniting all these kingdoms into his empire?

Mr. SPALDING. Yes; by force.

The CHAIRMAN. And there is where the Kamehameha family took its origin as a royal dynasty?

Mr. SPALDING. Yes. One part of the island of Hawaii was left by the king of that section—there were three kings there—to Kamehameha and to the son of the old King when he, the old King, died. Afterward

the son, through the influence of some of his chiefs, attempted to wrest from Kamehameha his share of this part of the Kingdom. He was defeated, killed, slain in battle. Then Kamehameha went to work and conquered the balance of Hawaii and the other islands.

The CHAIRMAN. I suppose you have examined Jarvis' History of Hawaii?

Mr. SPALDING. In old times.

The CHAIRMAN. Is that considered authentic—a correct history?

Mr. SPALDING. I think so. One of the best histories is a short one by Prof. Alexander.

The CHAIRMAN. But Jarvis' History is a standard work?

Mr. SPALDING. It has always been so regarded on historical questions.

The CHAIRMAN. What are your annual taxes to the Hawaiian Government?

Mr. SPALDING. I pay on my plantation—of course I practically own the whole plantation; I have it in the form of a stock company, but I own 4,915 shares out of 5,000, so that my taxes amount to $8,000 or $9,000 a year.

The CHAIRMAN. What are your estates there valued at; what do you think a reasonable value on your estate?

Mr. SPALDING. My estate?

The CHAIRMAN. The estate which you control by this arrangement of which you have been speaking.

Mr. SPALDING. I should consider it worth from a million of dollars upwards. It depends somewhat upon the outlook.

The CHAIRMAN. The taxes you speak of paying, $8,000 or $9,000 a year, I suppose are direct taxes to the Government?

Mr. SPALDING. Direct taxes; yes.

The CHAIRMAN. In addition to them you pay the tariff tax?

Mr. SPALDING. Oh, certainly.

The CHAIRMAN. So that your entire taxation during the year would amount to considerably more than that?

Mr. SPALDING. Yes; $10,000 or $12,000 a year.

The CHAIRMAN. Let me ask you what is your estimate—it is not expected to be accurate—of the present value of the investments made by American citizens in the Hawaiian Islands?

Mr. SPALDING. If the times were good I should say those investments were $50,000,000; being very bad the value is not over $30,000,000; but anywhere from $30,000,000 to $50,000,000.

The CHAIRMAN. Thirty million dollars would be the minimum?

Mr. SPALDING. Yes.

The CHAIRMAN. Are you a citizen of Hawaii?

Mr. SPALDING. I voted in 1887, but I have not taken the oath of allegiance in Hawaii. I have not lost my citizenship in the United States.

The CHAIRMAN. That is a process of naturalization there, to take the oath of allegiance?

Mr. SPALDING. Yes; I do not know how the United States would regard it. Previous to 1887 you could not vote without having taken the oath of allegiance. That was changed under the laws of 1887 so that you could register, and you would simply have to take the oath to support the constitution, but not become a citizen.

The CHAIRMAN. Somewhat similar to the privilege granted by some of the States with regard to signifying an intention?

Senator FRYE. In the estimate of the property held by the Americans at $50,000,000, what would be your estimate of the property held by others, in good times?

Mr. SPALDING. You want to divide it up among the Americans, English people, etc.

Senator FRYE. What is the proportion held by the natives and what is the proportion held by the whites of the islands?

The CHAIRMAN. Of all nationalities?

Mr. SPALDING. I should say at least nine-tenths.

Senator FRYE. And of that, what proportion is held by the Americans?

Mr. SPALDING. Probably of all the whites over three-fourths by Americans; that is, what we call Americans, people born there of American parentage.

The CHAIRMAN. So that the representation in the National Legislature of Hawaii, so far as the natives are concerned, is a very small proportion of the real wealth of the country?

Mr. SPALDING. A very small proportion. No natives have property. This man Parker, who was in the last cabinet of the Queen, and who is the Queen's mainstay now, was the nephew of a half white, who died some time ago, leaving him a large property. But he squandered it all; he is bankrupt; and some say he has spent $300,000—I suppose he has spent $150,000—in the last six or eight years.

Senator FRYE. Is he a dissipated man?

Mr. SPALDING. He is not a common drunkard, by any means, but a careless man, spendthrift.

Senator GRAY. Who is that?

Mr. SPALDING. Samuel Parker, the minister of foreign affairs under Liliuokalani.

The CHAIRMAN. In the last cabinet?

Mr. SPALDING. Yes. He is now a bankrupt. He was left a large estate by his uncle.

The CHAIRMAN. Since your return, in the situation of affairs have you discovered any organization, or effort at an organization, for the purpose of overturning the Provisional Government and reinstating the Queen?

Mr. SPALDING. I have not seen any, what you might call an organization; I have only heard these same parties who have been opposed to what we call the reform party, talking about restoring the Queen—men like Wilson. But it was only when they expected to have aid and assistance from the United States in doing it. I have not heard of their having any organization of their own. I have heard they have arms secreted, but I do not think the Provisional Government have any fear of that.

The CHAIRMAN. If Liliuokalani were restored to the throne under existing conditions, do you believe she would be able to retain her seat on the throne?

Mr. SPALDING. Not unless the people who are at present in power were disarmed, and the arms given to somebody else, and the people prevented getting any other arms.

The CHAIRMAN. That is not practical, is it?

Mr. SPALDING. I do not think it is. There is no power to put Liliuokalani back on the throne, except a force sufficient to oust the Provisional Government and sufficient force to support the monarchy after it is in power.

The CHAIRMAN. Do you think that would have to come from abroad?

Mr. SPALDING. I think so. After this attempt the people there could not keep it up.

The CHAIRMAN. Suppose that France, the United States, England, Germany, Japan, and China should strictly adhere to the doctrine of noninterference in the present affairs of Liliuokalani or any other person—allow them to conduct political affairs in those islands—do you believe that the Kanaka sentiment, the sentiment of the native Indian, is of such a character that Liliuokalani or Kaiulana could build up a royal dynasty in Hawaii?

Mr. SPALDING. No, not so long as the white foreigner, white people, desire to maintain the ascendency. I think they can do it in spite of any force, internal, that may be brought against them.

The CHAIRMAN. You mean, as against the opposition of the membership of the present Government and its supporters, that it would not be practicable to reinstate a monarchy in Hawaii?

Mr. SPALDING. Not without a force from the outside. But there could a time come when all this would be changed. Perhaps I am a little different from many persons who live in the country; I do not regard the country simply. Of course, it is fertile in some spots, the climate is a beautiful one or favorable one, but simply on that account I do not think that there is a great future for Hawaii in sugar. Hawaii is not a sugar country, and with all our advantages—and we have given more thought to the business and developed it to a higher scientific degree than any other sugar country known—at the same time I am quite confident that with all those advantages, with capital I could go to the island of Cuba, and with my knowledge of the sugar business I could produce sugar for $10 a ton—half a cent cheaper than in Hawaii. Hence I do not regard Hawaii as a sugar country, a valuable country. We would not have arrived at the point we are now except for the benefits from the reciprocity treaty. We received great encouragement from that; received what you might term a large bonus from the United States, and the money received was put into these plantations to build them up. Consequently we are in a very favorable position to manufacture sugar. With our advanced methods and all the advantages of machinery we can make sugar fully as cheap, perhaps (in our best places, I now speak of), as any other sugar countries. But our labor is necessarily high; there is nothing to induce laborers to come there except wages, of course, and we have not enough of that population in the country to supply the wants. Consequently, when the price of sugar goes down as it is now, our plantations are valueless.

The CHAIRMAN. You mean they are not profitable?

Mr. SPALDING. Not profitable—valueless as producers of revenue. Last year we received as high as 4½ cents a pound for sugar; that was the market price; this year it is down to 2⅞ cents per pound.

The CHAIRMAN. You do not consider Hawaii a natural sugar country, as being very superior to or the equal of other countries. What advantages are in that country?

Mr. SPALDING. I do not think there are any advantages except the climate. I saw advantage in the reciprocity treaty, and I would not have stayed there had it not been for reciprocity; because before the reciprocity treaty had passed all the plantations had gone through bankruptcy. I do not think there was a single plantation that had not gone into bankruptcy.

The CHAIRMAN. Do you mean through the legal course of bankruptcy?

Mr. SPALDING. They had failed; they had passed into other hands; sunk their original capital.

The CHAIRMAN. You have announced that you are an annexationist?

Mr. SPALDING. Yes.

The CHAIRMAN. And loyal citizen.

Mr. SPALDING. Yes.

The CHAIRMAN. As loyal to your country as ever before?

Mr. SPALDING. Yes; just as when in 1861 I stood guard at this Capitol in the cold nights of April.

The CHAIRMAN. What made you an annexationist?

Mr. SPALDING. Because I believe the possession of the islands by the United States would give the United States practical possession of the Pacific Ocean.

The CHAIRMAN. The commercial control?

Mr. SPALDING. Yes.

The CHAIRMAN. How about the military control and naval control?

Mr. SPALDING. The Hawaiian Islands are so located that an American fleet could be located in Pearl River harbor and with a cable from San Francisco those ships could be sent at will to any part of the ocean by the authorities at Washington.

The CHAIRMAN. You read Gen. Scofield's report on that?

Mr. SPALDING. Yes.

The CHAIRMAN. Do you agree with the general's statement on that question?

Mr. SPALDING. Fully.

The CHAIRMAN. He goes into the question of the width of the bar. The depth is 14 feet.

Mr. SPALDING. You mean in Honolulu harbor.

The CHAIRMAN. No; the entrance to Pearl River harbor.

Mr. SPALDING. The entrance to Pearl River harbor is practically closed by the coral reef outside.

Senator FRYE. That is a soft coral?

Mr. SPALDING. Yes.

The CHAIRMAN. There are 13 or 14 feet of water at low tide.

Mr. SPALDING. I do not know. We have never spent any money in making a survey of that harbor, and there has never been any survey made except by the crews of the warships there, at very little expense.

The CHAIRMAN. Still, light vessels can run into Pearl River harbor?

Mr. SPALDING. Yes.

The CHAIRMAN. Have you any idea of its width?

Mr. SPALDING. How far it extends out into the ocean?

The CHAIRMAN. Yes.

Mr. SPALDING. No. I have been by there a great many times on a steamer. I could see about how far it runs out; but it would be more a matter of opinion.

The CHAIRMAN. Is it a mile wide?

Mr. SPALDING. Less than a mile. From my observations I should say less than a mile.

The CHAIRMAN. In order for the United States to avail itself of that harbor for a naval station it would be necessary for the United States to dredge out the harbor?

Mr. SPALDING. Yes.

The CHAIRMAN. There is plenty of water?

Mr. SPALDING. Yes.

The CHAIRMAN. And the configuration of the harbor is such that the vessels can get protection?

Mr. SPALDING. Yes; get way in behind the island. It is a sort of lagoon.

The CHAIRMAN. You could have forts there?

Mr. SPALDING. Yes; right at the front entrance of the sea.

The CHAIRMAN. And they would command the Honolulu district?

Mr. SPALDING. I do not know about their commanding Honolulu from Pearl River. That would be a very long reach. But Honolulu could be defended from the hill back of it.

The CHAIRMAN. The Punch Bowl?

Mr. SPALDING. The Punch Bowl right behind it.

The CHAIRMAN. Honolulu Harbor is formed, as I understand it, by a bight in the land and this coral reef?

Mr. SPALDING. There is not much of a bight in the land. There is this coral reef that runs all around the island, and wherever there is a stream of fresh water that prevents the coral insect from working, there is the channel. Now, in Honolulu there is a small harbor inside the reef where the stream of fresh water has been in the habit of flowing down and then running out through the coral. But this coral reef is covered with water, sometimes not more than a foot or foot and a half deep, because the tide at Honolulu is not more than 3 feet at the outside, and very seldom as much as that.

The CHAIRMAN. The entrance is through this coral?

Mr. SPALDING. Right through this coral reef. This entrance to Honolulu is marked by a line of buoys and is only a few hundred feet wide.

Senator GRAY. Not more than a few hundred feet?

Mr. SPALDING. Not more than a few hundred.

The CHAIRMAN. The breakers define the reef

Mr. SPALDING. Yes.

The CHAIRMAN. And inside is this little bay?

Mr. SPALDING. It is very small, but it is very well protected by this reef on the outside and the shallow water on the reef.

The CHAIRMAN. Protected against the Pacific Ocean?

Mr. SPALDING. Yes.

Mr. SPALDING. Yes; a natural protection.

The CHAIRMAN. Is Pearl River harbor a full land-locked harbor?

Mr. SPALDING. The only place where you can combine sea and land defenses.

The CHAIRMAN. And that is perfectly practicable?

Mr. SPALDING. Perfectly practicable at Pearl River harbor; to get the passage through the reef is the only thing to do.

The CHAIRMAN. Is Pearl River surrounded by forests?

Mr. SPALDING. There are a few trees in the neighborhood, but it is some little distance back in the mountains.

The CHAIRMAN. But the nation that has possession of Pearl River harbor and fortifies it has virtually the military and naval control of all those islands?

Mr. SPALDING. Yes.

The CHAIRMAN. And, to extend the inquiry, that nation would have a seat in the center of the Pacific Ocean that is valuable in a military sense and valuable in a commercial sense?

Mr. SPALDING. Yes.

The CHAIRMAN. As a resting place, coaling station—place for resting ships?

Mr. SPALDING. It has been a coaling station for the United States for a number of years.

The CHAIRMAN. As a place I have described, is it resorted to by vessels in numbers?

Mr. SPALDING. Do you mean Pearl River harbor?

The CHAIRMAN. Honolulu?

Mr. SPALDING. The Austrian war ship *Donau* came in there several years ago with her steering apparatus gone. She had to spend a few months there and thousands of dollars in temporary repairs. Vessels are coming all the time for the same purpose. It is the only place that I consider valuable in the North Pacific. The South Pacific is full of islands; the North Pacific has no islands practically. There are a few little spots in the North Pacific beside the Hawaiian group, but they are hardly inhabitable.

The CHAIRMAN. Then your zeal as an annexationist is built on the naval and commercial value of the islands to the United States.

Mr. SPALDING. If it is not desirable for the United States to hold Pearl River, if it is not desirable for the United States to have that country as an outpost, it is not worth while for them to have anything to do with the country, because as an agricultural country, mineral country, and mercantile and manufacturing country it is of small value.

Senator FRYE. How would the building of the Nicaragua canal increase the importance of those islands to the United States?

Mr. SPALDING. It would make Honolulu just so much more important as a stopping place in crossing the Pacific Ocean.

Senator FRYE. If the Nicaraguan canal were built, what, in your judgment, would be the result upon our country's interests to have the Hawaiian Islands go into the hands of the English Government?

Mr. SPALDING. Since 1867 I have felt that it would be a very bad thing for the islands to go into the hands of Great Britain with or without the Nicaraguan canal. During the civil war we had the privateers up north among our whaling ships, and those privateers never could have gotten up there if one of our war ships had rendezvoused at Honolulu. The Hawaiian Islands are in a direct line between the British possessions of North America and the British possessions of Australia.

The CHAIRMAN. Without the annexation of Hawaii in connection with the Nicaraguan canal, but taking the conditions as they are, you think the construction of a cable to the United States between San Francisco and Honolulu would be of great importance?

Mr. SPALDING. Yes. I tried to bring it about some years ago. We had a concession from the Hawaiian Government which we proposed to turn over to any company that might be formed under the auspices of the United States, but we could not get the aid of the United States in building the cable, and, of course, there was not enough business to attempt it without that.

The CHAIRMAN. What is the general character of the Portuguese who occupy Hawaii?

Mr. SPALDING. The Portuguese who came there were mostly men brought out from the Madeira Islands for laboring on the plantations. So long as we paid them pretty good prices for their labor, of course, they remained. They were under agreement to remain with us for a term of years, three years I think, and at the expiration of their agree-

ment a good many of them went to California, thinking that they could do better. They are not a people who are reliable as settlers; we can not depend upon their settling in the community.

The CHAIRMAN. You mean, remaining in the community?

Mr. SPALDING. Remaining. They move about. If they think they can get a small addition in the way of wages they think it better for them to go. I was instrumental in erecting a Catholic church on my plantation, gave them the land and helped them put it up, because I had quite a number working for me. But I find that most of them have gone away after the expiration of their contracts.

The CHAIRMAN. As to their citizenship?

Mr. SPALDING. I do not think they are very advantageous people as citizens.

The CHAIRMAN. Are they disadvantageous?

Mr. SPALDING. Not if you have them in small numbers. If you have them in large numbers, yes; if you had too many of them, that would be disadvantageous.

The CHAIRMAN. Are they turbulent?

Mr. SPALDING. They are apt to be quarrelsome, and not always reliable.

The CHAIRMAN. How do they get along with the native population?

Mr. SPALDING. I do not think they have any trouble with the native population. They are a very saving people—in some respects a very hard working people—especially where they are working for themselves.

Senator FRYE. They are pretty thrifty people?

Mr. SPALDING. Pretty thrifty.

The CHAIRMAN. How about the Japanese. What kind of citizens do they become?

Mr. SPALDING. We have not had them long enough to say. We do not expect citizens on the plantations to do as in the towns and cities.

The CHAIRMAN. But the Portuguese have the right as citizens to vote?

Mr. SPALDING. Yes.

The CHAIRMAN. The Japanese have not the right?

Mr. SPALDING. The Japanese and Chinese. The Japanese Government have claimed that right, but we have never allowed it. I say we; I speak of the country. I was not an official.

The CHAIRMAN. The Chinese—how do they demean themselves in that country?

Mr. SPALDING. Fairly well.

The CHAIRMAN. Do they intermarry with the natives?

Mr. SPALDING. They do not intermarry with the natives very much.

The CHAIRMAN. Now, taking the Portuguese, the Europeans, the Americans, and the Kanakas, with their present rights of suffrage regulated by the constitution of 1887, and suppose you were to continue that and have your Government republican in form, under a written constitution, would you consider that a safe form of government for that country?

Mr. SPALDING. No; I should not consider that a republican form of government, with the suffrage as we have had it since 1887 (which was very liberal), a good form of government for that country, because there is not enough to the country. The country is not valuable enough; it is of no use to divide it up into small farms, because one farmer would have to sell to another farmer. I have known but one

industry to amount to anything specially, and that is the sugar industry—sugar and rice.

Senator GRAY. How about the coffee industry?

Mr. SPALDING. They have tried to raise coffee, but the coffee has been blighted. It may succeed better in the future—also tobacco. In California they can raise grain and send it down there cheaper than we can raise it; consequently we buy a good deal in California. We get better potatoes from California. They can raise them cheaper than we can. There is nothing that I know that can be raised cheaper in Hawaii than it can be raised in any other country. Consequently, even our sugar, without some kind of fostering protection, is not worth much to us. But it has been remunerative to us under the reciprocity treaty, and is remunerative to us now because of that treaty. I would not to-day attempt to start a sugar plantation on the Sandwich Islands any more than I would put my hand in the fire—I would not start a factory there.

Senator GRAY. You do not think a republic would be a good form of government for the people of that country who are now entitled to suffrage?

Mr. SPALDING. No.

Senator FRYE. With the suffrage practically universal?

Mr. SPALDING. Not as it is now; under the constitution of 1887.

Senator GRAY. Would you think the outlook for a republican form of government better if the right of suffrage were more extensive?

Mr. SPALDING. No; I should think that the people there, from the circumstances surrounding them, are not favorable to a republican form of government. There is not enough interest in the country for a republic—there are too many waves of prosperity and depression.

Senator FRYE. Suppose there were a limit to the suffrage?

Mr. SPALDING. If you were to limit the suffrage, then you might have a government which would, in my opinion be safe and advisable in the proportion that it would be limited.

Senator FRYE. But that would not be a government of the people?

Mr. SPALDING. It would not.

Senator GRAY. The more narrow the suffrage, the more stable the government.

Mr. SPALDING. Yes, because these people are like a good many in the United States—better governed than governing.

Senator GRAY. They need to be governed?

Mr. SPALDING. I think so.

The CHAIRMAN. What do you think of the future success of Hawaii as a government, having reference to the welfare of all classes in that country, if that government—taking the constitution of 1887 as a basis—should be placed in the hands of a native Kanaka dynasty?

Mr. SPALDING. If it were placed in the hands of a native Kanaka dynasty it would probably run back to where it was when Capt. Cook visited it.

The CHAIRMAN. You think those people need to be under control?

Mr. SPALDING. While the King has been on the throne the brains of the white man have carried on the government.

Senator GRAY. You think they need an autocratic government?

Mr. SPALDING. We have now as near an approach to autocratic government as anywhere. We have a council of fifteen, perhaps, composed of the business men of Honolulu—some of them workingmen, some capitalists, but they are all business men of Honolulu. They go

up to the palace, which is now the official home of the cabinet—they go up there perhaps every day and hold a session of an hour to examine into the business of the country, just the same as is done in a large factory or on a farm.

Senator GRAY. They control the Government?

Mr. SPALDING. They control it. They assemble—"now it is desired to do so and so; what do you think about it?" They will appoint a committee, if they think it necessary, or they will appoint some one to do something, just as though the Legislature had passed a law to be carried out by the officers of the people.

The CHAIRMAN. Coming back to my proposition again. You say you do not think the restoration of the monarchy, with the native Kanaka rulers on the throne, would be a success?

Mr. SPALDING. No, without some backing.

The CHAIRMAN. I am talking of an independent government.

Mr. SPALDING. No.

The CHAIRMAN. It would not be to the interest of the people nor of the investors who have spent their money there?

Mr. SPALDING. No.

The CHAIRMAN. You think it would be difficult, if I get your idea, either under a republican form of government, or dynastic or monarchical form, to build up in the Hawaiian Islands a government that will be equal to the commercial necessities of the Pacific Ocean?

Mr. SPALDING. Most decidedly so.

The CHAIRMAN. You are of that opinion?

Mr. SPALDING. Yes.

The CHAIRMAN. Suppose we should come to the point of the restoration of the monarchy in Hawaii, would it be preferable that Liliuokalani should be restored under existing conditions and surroundings, or that Kaiulani should be restored?

Mr. SPALDING. I do not think—it would be a choice of evils; I do not think it would make any difference. But I think it would be better to have Kaiulani, for we generally prefer the ills we know not of to those we do know.

The CHAIRMAN. Looking over this whole field and the possibility of Kaiulani being restored to her rights, as alleged, what would be the drift of the Government under her administration in respect of the influence of the United States as compared with that of Great Britain?

Mr. SPALDING. If we had a sovereign on the throne?

The CHAIRMAN. Kaiulani.

Mr. SPALDING. I do not think we can have any sovereign on the throne, either Kaiulani or anybody else, unless she go there for a purpose, with the consent of the business interests of the country. I think it either means that the business interests of the country shall be overlooked, thrown one side, or kept in view and something done for their benefit and protection. I think if a sovereign were put on the throne and it should become again a monarchical form of government, it would have to be under the protection of some strong power, and that strong power must be of a character that would give to these interests, especially the sugar interests (which is the main industry of the country) some compensation. It is requisite for the manufacture of sugar to have two things: a favorable soil and climate and a favorable condition of labor. If we had the same climate and the same soil here in Washington that we have in Hawaii, we could not raise sugar in Washington, because the negroes of Washington would charge

so much for cultivating the cane that it would be cheaper to buy sugar from some other country than to make it here.

The CHAIRMAN. That relates to one interest only.

Mr. SPALDING. And that is the only interest that I know of in that country.

Senator GRAY. There is no other wealth-producing industry in that country?

Mr. SPALDING. That is the only thing that produces money there, because it is the only thing that goes out of the country. We can not have manufactures there.

The CHAIRMAN. Your opinion would be that with Kaiulani on the throne her government would not be a success if not backed up by some other country?

Mr. SPALDING. I do not think she would be of any use to the country at large. We have got to do one of two things—run the government by ourselves and support it by necessary taxation and stand the expenses of it, or have it under some foreign protection that would relieve us of those expenses.

The CHAIRMAN. Do you believe that the people representing the ruling, controlling interests in that country (which are intelligence and wealth) are the people to govern the country under a permanent form of government (whichever you may select, republican or monarchical) so as to make it a success and contribute to the happiness of the whole people?

Mr. SPALDING. They are doing it now. The native people are better off now than they have been at any other time.

The CHAIRMAN. Do you believe that a Government on the existing basis, under the control of those who are now in authority, with the influence that they exert, can be established into a permanent form of government with such benefits to the people as to make it the best that can be done for that country?

Mr. SPALDING. I would not like to say that I do believe that, because it depends upon whether we can support the present Government. I say I do not know about that. We are doing it for the present, but whether we can do it with sugar a half cent a pound lower than now is quite another question. And it depends upon how much money we have to pay out for our Government. But, if we have a powerful Government to back us, we get rid of a very large proportion of the expenses of the present form of government, and the expenses of the last Government, the monarchical Government. If the American flag were flying over the islands and one of the smallest and poorest warships with a crew of fifty men on board were stationed in Honolulu Harbor, you might give the suffrage to every man in the country, Chinese and Japanese, and there would not be any attempt to overthrow the Government. They might have their disputes in little affairs; but they could not overthrow the Government. But we do not know how safe we would be if we were to do away with the troops that we have. If that were done somebody else might want to have the official part of the Government to administer.

Senator GRAY. Do you think that a democratic-republican government, as we understand it here in the States, could be maintained in those islands with an independent sovereignty, without the outside support of which you speak?

Mr. SPALDING. We can maintain a government there so long as we can afford to keep an armed force; but not without.

Senator GRAY. Could you maintain a state government there as we understand a State government here?

Mr. SPALDING. Do you mean if the islands were annexed to the United States?

Senator GRAY. Yes.

Mr. SPALDING. Yes, we could. That would be a republican form of government.

Mr. GRAY. That is what I meant.

Mr. SPALDING. I have already said that a republican form of government would not be suitable for that people. That is an independent form of government. You might, for instance, if the Hawaiian Islands were a part of the State of California do very well. I think they would send two or three or four representatives to the State capitol, who would be equally respectable with the representatives sent from the present counties in California, and I do not think there would be any trouble—all the struggle would cease. But we have there now these adventurers, an element that wants to rule or ruin. They have nothing to lose and everything to gain; and it would be simply men who have something to lose fighting men who have nothing to lose.

Senator FRYE. That would require the maintenance in arms of a thousand men?

Mr. SPALDING. Whatever would be necessary—a few hundred or a thousand.

Senator FRYE. But the expense of keeping them is the question?

Mr. SPALDING. That is all. And the question would be, where shall we get our taxes. If we had a sufficient revenue from the manufacture of sugar to pay these taxes, that might answer; we might say, "Yes, we can afford to pay for these troops to preserve good government." But if the price of sugar is to be so low, and the expenses of running the plantations so high, what would become of the country?

Senator FRYE. Do you not think three hundred men under a good officer would exert complete control over those islands?

Mr. SPALDING. Oh, very likely. We have not a very large force there now, and times have been probably as bad as they can be. What we want is to make something out of the country; make expenses out of the country. It is not a commercial, agricultural, manufacturing, or mineral producing country; it has no resources, no available resources; never has had. All this prosperity has come from this reciprocity treaty with the United States. Before that time we were making a matter of 15,000 or 20,000 tons of sugar a year.

Senator GRAY. Are you a large sugar producer there?

Mr. SPALDING. The largest personal producer. There are others, companies, producing more.

Senator GRAY. Has Mr. Spreckels a factory there?

Mr. SPALDING. He is interested with his friends. He has a mercantile agency and several plantations; but, of course, we send all our sugar to San Francisco.

Senator FRYE. Have you ever thought over the question of annexation to California?

Mr. SPALDING. Yes, a good deal.

Senator FRYE. How would that do?

Mr. SPALDING. I do not see any objection to it.

Senator FRYE. You would elect your members of the house and senate, and perhaps one member of Congress?

Mr. SPALDING. All these things would follow the change. To carry

on our business it would be necessary to have some advantage, just as the State of Louisiana has some advantage, because she has to pay more for labor than is paid in other sugar-producing countries.

The CHAIRMAN. How are the men in this present Government?

Mr. SPALDING. The four men in office there are four as good men as we have in the country.

The CHAIRMAN. You mean the advisory council?

Mr. SPALDING. The advisory council is made up of as good men as are in Honolulu.

The CHAIRMAN. Who are the four men?

Mr. SPALDING. The executive officers.

Senator FRYE. You can not find better in any country?

Mr. SPALDING. No. Dole is a man; a lawyer of ability. He was upon the supreme bench for years, and is a man of integrity and character.

The CHAIRMAN. Your supreme court, how is that?

Mr. SPALDING. The chief justice is a son of Dr. Judd, who was one of the early missionaries to go out there. He belonged to what we call the lay missionaries. He was not a minister. Old Dr. Judd, as he was called, was the private adviser of King Kauikeaouli in his questions with Great Britain; and this chief justice is the son of that man.

The CHAIRMAN. Is the chief justice a man of ability?

Mr. SPALDING. Of ability, and has always given good satisfaction. If anything, he has a leaning to the native population. He has always been considered, perhaps, the greatest friend, the most consistent, the best friend of the native population of any white man in the country. He has been noted for that.

The CHAIRMAN. Take the conduct of these men called missionaries and of those who were their associates in the Government, would you say that their motives, as indicated by their acts, were in favor of building up enlightenment and the establishment of all the higher virtues in the people of Hawaii, the Kanakas, or were they in the other direction?

Mr. SPALDING. I should say they were more in favor of the development of the best interests of the country, and especially of the native population.

The CHAIRMAN. Is there any sentiment of hostility amongst those people toward the native population?

Mr. SPALDING. Among the missionaries?

The CHAIRMAN. Yes.

Mr. SPALDING. Quite to the contrary. They have not only been the most intelligent and most business-like men that we have had, but men of the highest integrity.

The CHAIRMAN. You have not been connected with the church in any way.

Mr. SPALDING. No; I have not been considered as belonging to the missionary element, but I have always had a high respect for the work that has been done there.

The CHAIRMAN. I suppose the fact is that the missionaries have done all the work that has been done there.

Mr. SPALDING. Yes. Some of the others have gathered in without scattering so much; but the missionaries have always done everything in their power to benefit the native population.

Senator GRAY. You went out there in 1867 as the special agent of the State Department, under Mr. Seward?

Mr. SPALDING. Yes.

Senator GRAY. Was that before the treaty of reciprocity?

Mr. SPALDING. Before the treaty of reciprocity.

Senator GRAY. And your instructions were verbal?

Mr. SPALDING. My instructions were verbal. I went out as a bearer of dispatches, ostensibly.

Senator GRAY. You say you had a general letter; of what kind?

Mr. SPALDING. I had a general passport from the State Department allowing me to go anywhere over the world.

Senator GRAY. Had you any special instructions to the Minister?

Mr. SPALDING. I had only to carry to the Minister the key of the State Department code. That was the ostensible mission on which I was sent; but the real mission was to inform the Secretary himself, not the State Department, what the feeling of the country was and what effect this reciprocity treaty would have upon the two countries. I reported adversely to the reciprocity treaty on the ground that I thought it would perhaps impede or prevent annexation of that country in the near future. But in one of my letters from the Secretary he told me that the plan which I had suggested could not be followed by the United States at that time, as the public mind of the American people was dwelling too much upon the settlement of the matters growing out of the civil war, and they refused at that time to take up the annexation of any foreign country.

Senator GRAY. Did you return in person with your report?

Mr. SPALDING. I came back to Washington to settle my accounts after I gave up the consulate. I was appointed consul while I was out there; in fact, I was left with the consulate and legation both, before I was appointed consul.

Senator GRAY. Then you returned and made your business arrangements?

Mr. SPALDING. I came back to Washington and settled my accounts. That, I think, was in 1870. But I had already made my arrangements for starting in the sugar business, starting my plantation, and I have been in it ever since.

Adjourned until to-morrow, the 3d inst., at 10 o'clock a. m.

THIRD DAY.

WASHINGTON, D. C., *January 3, 1894.*

The committee met pursuant to adjournment.

Present: The Chairman (Senator Morgan), and Senators Gray and Frye.

Absent: Senators Butler and Sherman.

SWORN STATEMENT OF WILLIAM DE WITT ALEXANDER.

The CHAIRMAN. How long have you resided in Hawaii?

Mr. ALEXANDER. I was born there in 1833.

The CHAIRMAN. How long had your parents resided there before your birth?

Mr. ALEXANDER. About one year.

The CHAIRMAN. Was your father connected with the missionary work of the islands?

Mr. ALEXANDER. Yes.

The CHAIRMAN. To what denomination did he belong?

Mr. ALEXANDER. The Presbyterian.

The CHAIRMAN. Where did your father locate when he went to the islands?

Mr. ALEXANDER. The first part of the time the northernmost part of the islands—at Kauai.

The CHAIRMAN. What is your age?

Mr. ALEXANDER. Sixty.

The CHAIRMAN. So you have been fifty-nine years in Hawaii?

Mr. ALEXANDER. I have spent about eight years in this country.

The CHAIRMAN. But that has been your place of residence?

Mr. ALEXANDER. Yes, I finished my education in this country.

The CHAIRMAN. Where did you get the foundation of your education?

Mr. ALEXANDER. At a school near Honolulu. It was a mission school, and since it has become Oahu College.

The CHAIRMAN. Is that now a flourishing institution?

MR. ALEXANDER. It is on a very good footing; it has a good endowment.

The CHAIRMAN. About how much?

Mr. ALEXANDER. About $230,000.

The CHAIRMAN. From what sources was that endowment derived?

Mr. ALEXANDER. Mostly given by residents of the islands. The largest doner was Charles R. Bishop.

The CHAIRMAN. He married a Hawaiian woman?

Mr. ALEXANDER. Yes. She was a chiefess of very high rank.

The CHAIRMAN. How far advanced were you in respect of your education when you came to the United States to complete your studies?

Mr. ALEXANDER. I was nearly fitted for college. I studied one summer at Harrisburg. My mother was a Harrisburger.

The CHAIRMAN. What college did you attend in the United States?

Mr. ALEXANDER. Yale College. I graduated there in 1855. I taught at Beloit College, in Wisconsin, for a year and a half, and I taught in the college of Vincennes, Ind., for a time. Then I was persuaded to go back as a professor of languages in the Oahu College.

The CHAIRMAN. And that was your first work you did after you grew up—the first work you did in Hawaii?

Mr. ALEXANDER. Yes.

The CHAIRMAN. How long did you remain in that institution?

Mr. ALEXANDER. About fourteen years. The first seven years I was professor, and the last seven years I was president of the college.

The CHAIRMAN. Has the attendance in that college been large?

Mr. ALEXANDER. Considering the smallness of the community there, perhaps it would be so regarded.

The CHAIRMAN. It has been increasing along from year to year, I suppose?

Mr. ALEXANDER. It has its ups and downs. It has a preparatory department now of one hundred and twenty; the college proper is not much less than that—perhaps eighty.

The CHAIRMAN. Is the tuition in the college free or what?

Mr. ALEXANDER. About $1 a week.

The CHAIRMAN. Who are the principal patrons of this college?

Mr. ALEXANDER. Principally the white population. There is a number of scholarships, which scholarships are conditioned on giving the natives the preference.

The CHAIRMAN. After you quit that college what was your next occupation?

Mr. ALEXANDER. Surveyor-general.

The CHAIRMAN. Surveyor-general of Hawaii under what king?

Mr. ALEXANDER. Kamehameha V. There was made a trigonometrical survey of the kingdom based on a survey like the Coast Survey of the United States, and on that foundation was based the boundary survey of all the landed property.

The CHAIRMAN. You first commenced with trigonometry?

Mr. ALEXANDER. Yes. That was my advice. The ministry asked my ideas of how best to go to work, and after I had written my report they asked me if I would undertake it.

The CHAIRMAN. You made that survey first. Is that complete?

Mr. ALEXANDER. It is not complete.

The CHAIRMAN. It is a thorough trigonometrical survey?

Mr. ALEXANDER. Yes; it is done with the advice of the United States Coast Survey and partly with their instruments. They loaned me their base apparatus, and it was done following their best methods.

The CHAIRMAN. In addition to that you have made a survey of the lands of the interior of the islands?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Has that survey been completed?

Mr. ALEXANDER. Not complete.

The CHAIRMAN. Is it what we call a sectionized survey, in townships and ranges, or by plats?

Mr. ALEXANDER. Not exactly either. The islands have been subdivided from time immemorial. They had a very peculiar landed system.

The CHAIRMAN. This subdivision was by the natives?

Mr. ALEXANDER. Yes. The boundaries are traditional. We had to ascertain these boundaries and run them out.

The CHAIRMAN. In doing that you had to consult these traditions?

Mr. ALEXANDER. Yes. There was a boundary commissioner for each of the judicial districts.

The CHAIRMAN. That was for the purpose of separation, I understand it, of the private holdings of the native Hawaiians from the government lands?

Mr. ALEXANDER. There had been a division of the lands in 1848 and partial surveys. It is a large subject about that land system.

The CHAIRMAN. Has that survey of the lands been completed?

Mr. ALEXANDER. It is not completed.

The CHAIRMAN. Have you separated the individual holdings of the natives?

Mr. ALEXANDER. Yes, to a very large extent. The individual holdings were surveyed in piecemeal along in the fifties. The work was badly done, but each of the homesteads issued to the natives was patented by surveyed metes and bounds. The largest lands, the chiefs' lands, were mostly awarded by name according to the ancient boundaries.

The CHAIRMAN. In the name of the tract or the name of the chief?

Mr. ALEXANDER. The name of the tract. And every piece of land, large or small, down to the very smallest pieces, had a traditional name. It was an old country, not a new country.

The CHAIRMAN. At the time you entered upon this survey of the lands, did you find the separate holdings of the Hawaiian people established and recognized by the authorities of the Government?

Mr. ALEXANDER. Yes, they were fully recognized.

The CHAIRMAN. So that what you did was to define these surveys upon paper, upon plats, and then patents would issue from the Government?

Mr. ALEXANDER. Patents had been issued for the small holdings, for the homesteads, what the natives call *kuleanas*. Those were issued in the early period, beginning in the fifties.

The CHAIRMAN. Under which of the Kamehamehas?

Mr. ALEXANDER. Kamehameha III.

The CHAIRMAN. Your work began under Kamehameha V?

Mr. ALEXANDER. Yes.

The CHAIRMAN. I will ask you to give some idea of the arable quality of the lands that you surveyed on the islands.

Mr. ALEXANDER. It is very difficult to give the amount.

The CHAIRMAN. I do not expect that; it is the quality that I ask for.

Mr. ALEXANDER. There is a large proportion of mountain and forest land. On the island of Hawaii there are large tracts overflowed with lava.

The CHAIRMAN. Were these forests large? I mean heavy forests—what kind of forests were they?

Mr. ALEXANDER. Tropical forests; some large trees, especially in the forests of Hawaii, out of which the natives used to make canoes. But they are nothing like the pine forests of the Pacific coast.

Senator GRAY. Hard woods?

Mr. ALEXANDER. Hard woods; some very fine cabinet woods.

Senator GRAY. Would they use the trunks of those, too?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Some of those trees are very large?

Mr. ALEXANDER. Some of them are.

The CHAIRMAN. A magnificent forest, or in spots?

Mr. ALEXANDER. Pretty dense. It has a very thick undergrowth, tropical undergrowth.

Senator GRAY. Heavy timber?

Mr. ALEXANDER. The trees are not so very large, except in some of the large forests on Hawaii. The Government has taken great pains to protect the forests.

The CHAIRMAN. Are those forests valuable for domestic uses?

Mr. ALEXANDER. I think for cabinet wood and for fuel. The Government ought to take great pains to preserve the forests. They are

arranging to protect them from cattle. Some of the districts have made arrangements with the private owners, planters, and others, to run a line of fences to keep the cattle out.

The CHAIRMAN. What have the cattle to do with the forests; do they eat them up?

Mr. ALEXANDER. Yes, all the young trees, undergrowth, fern, etc. They became alarmed about that. It affects the water supply.

The CHAIRMAN. Has the Hawaiian Government taken steps to protect the forests?

Mr. ALEXANDER. At the present time there is an arrangement made for fencing in part of the forests.

The CHAIRMAN. You mean the Government is to do it?

Mr. ALEXANDER. Yes; the Government is to pay half the expenses. The planters agreed to do that.

The CHAIRMAN. So that you have a thorough forestry system?

Mr. ALEXANDER. Not yet; beginning to have. And the Government has tried experiments in replanting, tried different kinds of trees.

The CHAIRMAN. Has the sandal root been tried? That is no longer a valuable article of commerce there.

Mr. ALEXANDER. It is very rare.

The CHAIRMAN. Do they make shipments of other woods?

Mr. ALEXANDER. I think they hardly pay.

The CHAIRMAN. Do they have mills?

Mr. ALEXANDER. A few sawmills.

The CHAIRMAN. Are any of these mills owned by native Hawaiians?

Mr. ALEXANDER. I think not.

The CHAIRMAN. Have they any other manufacturing establishments in Hawaii—notable ones, I mean?

Mr. ALEXANDER. I could hardly state that they have any manufacturing establishments. Sugar engrosses everything, monopolizes everything.

The CHAIRMAN. What do you think of the prospects of coffee-raising in the islands?

Mr. ALEXANDER. Very promising; just beginning.

The CHAIRMAN. You have been all over the islands as a surveyor?

Mr. ALEXANDER. Yes; nearly all.

The CHAIRMAN. I am speaking in a general sense. You understand what the islands contain in forests and lands?

Mr. ALEXANDER. I have a pretty good general idea.

The CHAIRMAN. There are no minerals in Hawaii?

Mr. ALEXANDER. No, not in the common sense.

The CHAIRMAN. No iron?

Mr. ALEXANDER. Not in paying quantities.

The CHAIRMAN. No coal?

Mr. ALEXANDER. No coal. There is a little iron, but not in paying quantities.

Senator GRAY. Is wood universally used as fuel?

Mr. ALEXANDER. Not universally. The plantations use a little coal.

The CHAIRMAN. You do not need much fuel for the purpose of warming your houses?

Mr. ALEXANDER. No.

The CHAIRMAN. The temperature is such that you do not need it?

Mr. ALEXANDER. There are a few portions of the upper lands where they do use fires, but a very small portion.

Senator GRAY. Is that true of the islands the year around?

Mr. ALEXANDER. Of the year round.

The CHAIRMAN. Are the houses built of wood?

Mr. ALEXANDER. Very generally.

The CHAIRMAN. Between what degrees are the variations of temperature?

Mr. ALEXANDER. Thirty degrees.

The CHAIRMAN. What is the lowest point?

Mr. ALEXANDER. At the sea level it very rarely goes below fifty, generally not lower than fifty-five.

The CHAIRMAN. It gets colder as you ascend the mountains?

Mr. ALEXANDER. Yes.

The CHAIRMAN. There are two mountains quite high?

Mr. ALEXANDER. The highest mountain is 13,820 feet. There is another mountain 13,675 feet. On those you will find snow all the year round, not covered, but more or less at the top.

The CHAIRMAN. Are those volcanic mountains?

Mr. ALEXANDER. Yes, volcanic mountains. Snow falls on them in the winter.

The CHAIRMAN. So that, the climate is really affected or made there by the altitude?

Mr. ALEXANDER. It is. Then we have some very fine upland, table-land, that has not yet been used for agriculture, but I think it will be.

The CHAIRMAN. What is the elevation of the table-lands of which you speak?

Mr. ALEXANDER. In the island of Hawaii, north of Mount Kea, which has been overrun by catle, and which I think will be cultivated hereafter, the elevation is 2,500 feet.

The CHAIRMAN. Is there water on it—running streams?

Mr. ALEXANDER. There is one running stream; but they depend chiefly on the rain.

The CHAIRMAN. It is the side of the island, to windward?

Mr. ALEXANDER. About the center of the island.

The CHAIRMAN. The island toward the windward has rains?

Mr. ALEXANDER. There is a difference between the two sides of the island.

The CHAIRMAN. Like the Andes?

Mr. ALEXANDER. South America on a small scale. In the district of Hilo we average 12 feet of rain, and have for a good many years.

The CHAIRMAN. How much of the island does that rainfall cover?

Mr. ALEXANDER. Not more than one-tenth. Perhaps I have put it rather low, to keep within bounds. In the region of the Kona district it is very dry. That has land and sea breezes, and has southerly rains. It is a fertile district, although rocky. It has very rich land between the lava flows. It has a good coffee district, although it is on the dry side.

The CHAIRMAN. What sort of fruits have they in Hawaii, tropical or semitropical?

Mr. ALEXANDER. Tropical. We call our climate subtropical. Our climate is changed by the trade winds and ocean current from the Bering Sea.

The CHAIRMAN. From what direction do those trade winds blow?

Mr. ALEXANDER. From the northeast.

The CHAIRMAN. During what part of the year? Are they continuous?

Mr. ALEXANDER. They are strongest in the summer; they follow the sun.

The CHAIRMAN. In its movements north and south, do you mean?

Mr. ALEXANDER. Yes.

The CHAIRMAN. How long do they continue?

Mr. ALEXANDER. The trade winds blow pretty steadily during the summer.

Senator GRAY. That is, the three summer months?

Mr. ALEXANDER. Yes. During the winter they are not so steady; at intervals there are southerly winds. It is not however, like the monsoon.

The CHAIRMAN. Is there any period in the year when there is a calm?

Mr. ALEXANDER. There are short periods, especially in the winter—January.

The CHAIRMAN. But these trade winds during the year would be reckoned as a steady blow?

Mr. ALEXANDER. Irregular.

The CHAIRMAN. Irregular, but steady—I mean by that continuous, with greater or less force. How about that ocean current?

Mr. ALEXANDER. We are on the edge of that current; it runs from the east; but the ocean around us is cooler than the air, and our country is ten degrees cooler than other tropical countries in the same latitude.

The CHAIRMAN. You say this current comes from the east, runs to the west?

Mr. ALEXANDER. Yes; we are on the edge of the great equatorial current.

The CHAIRMAN. It comes from the American coast and goes toward the Asiatic, the equator?

Mr. ALEXANDER. Yes; a scientific gentleman examined the condition, and explained the coolness of the current from the Bering Sea to be on account of the Pacific Ocean being closed at its upper end.

The CHAIRMAN. Hawaii is within the flow of the great equatorial current of the Pacific Ocean?

Mr. ALEXANDER. We are near the edge of it, so that it is rather irregular. It affects our climate.

The CHAIRMAN. I would like you to state as briefly as you can, and somewhat fully, the progress that has been made in Hawaii since your childhood in civilization, in religion, in government, in industries, and in general development. You can go on and state it your own way, covering such points as will give the committee some correct idea of the real state of the progress that has been made in that country.

Mr. ALEXANDER. When I was a child the natives were abject slaves to their chiefs. They had no rights that the chiefs were bound to respect. They were tenants at will. They could be turned off their land at the word of a chief. Sometimes the whole of the inhabitants of a valley could be evicted at the change of the landlord—at the order of a higher chief. The country was full of natives who were dispossessed, looking around for a place, another home. They were very poor. The natives had very little foreign cloth when I was a boy—they wore the bark cloth.

Senator GRAY. Made by themselves?

Mr. ALEXANDER. Made by themselves, and not much of that. They were subject to forced labor by their chiefs. Previously to that time the sandalwood was exhausted. While the sandalwood lasted they suffered a great deal of oppression; they had to spend months in the mountains cutting sandalwood for their chiefs.

The CHAIRMAN. How would they get it down from the mountains?

Mr. ALEXANDER. On their backs in bundles. It was a mine of wealth for the chiefs while it lasted.

The CHAIRMAN. What was their physical stature, strength, and development; strong, or a weakly race at that time?

Mr. ALEXANDER. I think they averaged pretty well, not quite the equal of the white race.

The CHAIRMAN. Capable of performing hard labor?

Mr. ALEXANDER. Did a good deal of hard labor. They are the best boatmen in the world; make good seamen. I suppose that being obliged to labor for their chiefs was good for them.

The CHAIRMAN. What was the state of morality amongst them at that time, according to your understanding from your childhood?

Mr. ALEXANDER. It was very low, so far as the sexual relations were concerned. There were very few crimes of violence, very rare, and not much stealing. A native will lie; thinks very little of being charged with a lie, but feels very angry at being charged with stealing; and I think that dates from away back. We have not yet got the habit of locking our doors, and burglaries are generally committed by Chinamen or professionals from San Francisco or Australia; not by the natives. They are a kindly race. My father and mother spent some time in Marquesas Islands. They are a Polynesian race of a different type. When my father came back he enjoyed a sense of security that was a great relief. They are a very docile people.

Senator GRAY. Affectionate?

Mr. ALEXANDER. Yes.

Senator GRAY. Grateful for a kindness?

Mr. ALEXANDER. They have the name for being ungrateful; but I think it is rather because of their short memories, and impressions do not last long, either for good or for evil. They are not a revengeful people. My father was worshiped by the people of that section of the islands. He was their physician, adviser, and friend in every possible way.

The CHAIRMAN. And they were very fond of him?

Mr. ALEXANDER. Yes. At that time they were very eager to learn, when everything was fresh and novel. To buy books they would go into the mountains and collect arrowroot to get means, and my father has often said that the whole population came to hear him. They were hungry, as he explained it, eager to drink in what he had to say.

The CHAIRMAN. Did your father speak the Hawaiian tongue?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Preach to them in that tongue and talk to them in it?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Do you speak the language?

Mr. ALEXANDER. Yes. I published a grammar of the Hawaiian language.

The CHAIRMAN. While we are upon that—and it is germane to the inquiry—I will ask you whether the first instruction of the Hawaiian people in letters was in the Hawaiian tongue?

Mr. ALEXANDER. When the missionaries first landed they taught English for a while. They had to learn the Hawaiian language, of course. In the meantime the first schools were taught in English. When they had learned the language, reduced it to writing, they dropped the English.

The CHAIRMAN. Did they prepare schoolbooks in the Hawaiian tongue?

Mr. ALEXANDER. They did.

The CHAIRMAN. Did they use the Roman alphabet?

Mr. ALEXANDER. Adapted the Roman alphabet.

The CHAIRMAN. No new characters were adapted to the Hawaiian tongue?

Mr. ALEXANDER. No.

The CHAIRMAN. What books did they first publish?

Mr. ALEXANDER. The first books were religious books and schoolbooks.

The CHAIRMAN. Were the schoolbooks numerous, on different subjects?

Mr. ALEXANDER. Yes; they were.

The CHAIRMAN. Geographies.

Mr. ALEXANDER. Geographies and readers. And then my father taught in a high school, with books in mathematics, as far as trigonometry, surveying, and navigation. They had books of general history, and in fact of political economy, published in their own language. There was a book on anatomy, a small edition. I think there was a larger library in their own language than in that of any other group in the Pacific Ocean.

Senator FRYE. Am I to understand you as saying that the missionaries for the first time in the islands reduced the Hawaiian language to letters?

Mr. ALEXANDER. Yes.

Senator FRYE. They had no written language when the missionaries went there?

Mr. ALEXANDER. No.

The CHAIRMAN. These books were printed in the United States?

Mr. ALEXANDER. No, they were printed there; the printing presses were taken with the missionaries. They afterward published the Pilgrim's Progress and quite a number of religious works besides the Bible.

The CHAIRMAN. More recently, if I understand correctly, the instruction in Hawaii is in the English tongue?

Mr. ALEXANDER. Principally now.

The CHAIRMAN. You do not teach in the Hawaiian tongue?

Mr. ALEXANDER. A few schools, probably not more than one-twentieth.

The CHAIRMAN. Is it the English tongue that is spoken in Hawaii?

Mr. ALEXANDER. By the rising generation; not the adults.

The CHAIRMAN. Do they speak it brokenly?

Mr. ALEXANDER. They are trying to give the school children the pure English, not pigeon English. Not many of the adults can speak or write correctly.

The CHAIRMAN. Among a great many people, what you call the pigeon English is in vogue there, as in China?

Mr. ALEXANDER. It is not like China.

The CHAIRMAN. It is filled with a mixture of the English and native tongue?

Mr. ALEXANDER. No; I could not say that they mix languages as they do in China. The native language is a very easy language to pick up, and it is understood by all the Chinamen, and the Japs pick it up. It is easy to learn the language. It is still the language for the laws. All the laws are published in English and Hawaiian.

The CHAIRMAN. Is there an extensive vocabulary of words?

Mr. ALEXANDER. It is not a rich language. Words had to be coined for theological purposes, for law purposes, and for mathematics.

The CHAIRMAN. Are they teaching chemistry, etc.?

Mr. ALEXANDER. They have never tried to teach chemistry in the Hawaiian language.

The CHAIRMAN. Were you ever in charge of the public school system in Hawaii?

Mr. ALEXANDER. I have been a member of the board of education for a long time.

The CHAIRMAN. How long?

Mr. ALEXANDER. Since 1887.

The CHAIRMAN. What proportion of the native Kanaka population over 10 years of age are now enabled to read and write, either in their own language or in the English language?

Mr. ALEXANDER. I could not give a definite statement of the proportion of the adult Kanakas who can read and write correctly. Most of them have a smattering of the English.

The CHAIRMAN. I do not mean to read and write correctly, but to read and write in their own language.

Mr. ALEXANDER. I think from 10 to 15 they understand considerable English.

The CHAIRMAN. Can they read and write in their own language? I am speaking of their capacity to read and write.

Mr. ALEXANDER. In their own language I suppose nine-tenths. It is very easy to read and write the Hawaiian language.

The CHAIRMAN. I wish to know whether the art of reading and writing has been acquired by the people there, and to what extent.

Mr. ALEXANDER. We have had compulsory education there for a good many years. If a child does not go to school he is taken up by the truant officer, and the parents are taken to account. So that the natives can read and write their own language.

The CHAIRMAN. At what age?

Mr. ALEXANDER. I should say certainly all by 15, and probably nine-tenths of those above 10 years of age. Their language is written phonetically, so that there is no difficulty in spelling.

Senator FRYE. Prof. Alexander stated the physical conditions and all that sort of thing, but he did not say what religious advancement the children made.

The CHAIRMAN. What was the religious condition of Hawaii when you were a child?

Mr. ALEXANDER. Very ignorant. They had the most crude ideas about religion; they were very eager to get ideas. They were very receptive at that time, and it was a great pleasure to teach them at that time.

The CHAIRMAN. What was their religion?

Mr. ALEXANDER. They had thrown away their idols—their taboos. But they had a great deal of superstition still, particularly about sorcery. I think the most injurious superstition they have is in regard to the cause of disease—sickness. They think that diseases are caused supernaturally.

The CHAIRMAN. In your childhood was this condition of ignorance and paganism almost universal?

Mr. ALEXANDER. Almost universal.

The CHAIRMAN. What is the degree of the improvement?

Mr. ALEXANDER. At the present time they are all nominal Christians —Catholics, Protestants, Episcopalians, Mormons. There is yet more or less of underlying superstition spread among the natives.

The CHAIRMAN. Religion is free under your laws and constitution?

Mr. ALEXANDER. Entirely. The old superstitions about the cause of sickness and about sorcery have never been rooted out.

The CHAIRMAN. Is there any connection out there between the church and state?

Mr. ALEXANDER. There never has been.

The CHAIRMAN. Are churches found commonly in Hawaii?

Mr. ALEXANDER. The population has been decreased so that there are a great many churches standing where there is no population—empty churches in some districts.

The CHAIRMAN. How about schoolhouses; have they been abundtanly supplied to the people?

Mr. ALEXANDER. At present pretty well. I joined the Board of Education in 1887. There was then a great deficiency of schoolhouses. During the reign of Kalakaua governnent money was diverted to other purposes. But a great many schoolhouses were built, improvements made, and at present schoolhouses are pretty well provided.

The CHAIRMAN. Are they comfortable schoolhouses?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Furnished with proper furniture?

Mr. ALEXANDER. Yes. By American methods; furniture imported by the United States or made there in accordance, I might say, with the Hawaiian school system. They received a gold medal at the Paris Exposition.

The CHAIRMAN. What is the school age there according to law?

Mr. ALEXANDER. Seven to fourteen.

The CHAIRMAN. Is it a part of that system that all the young population that are able to go to school, physically qualified for being taught, shall attend the school?

Mr. ALEXANDER. Very nearly. There has been a want of school accommodation in some school districts, and we could not compel them until we had schoolhouses enough. At the present time we have pretty nearly caught up.

The CHAIRMAN. So that it might be said that the native youth of Hawaii are universally under process of education?

Mr. ALEXANDER. Very nearly.

The CHAIRMAN. Do the Chinese, Japanese, and Portuguese send their children to those schools?

Mr. ALEXANDER. Yes; they are obliged to, except where they attend a private school. There are about eleven thousand children there in schools and three thousand of these are in the private schools The Chinese and Japanese have not many children; a great majority of them are adult males.

Mr. CHAIRMAN. But the Chinese and Japanese are subject to this compulsory education the same as the Hawaiian?

Mr. ALEXANDER. Yes. The Chinese have a few Chinese schools.

The CHAIRMAN. Out of what funds are these schools sustained?

Mr. ALEXANDER. In the first place there is a poll tax devoted to it, school tax; and the school tax of each district has to be expended in that district. The school tax is kept separate, and can not be touched for any other purpose. Even through Kalakaua's reign that was kept separate. This is not enough, and the Legislature has to appropriate largely to supplement that.

The CHAIRMAN. What is about the annual expenditure for school purposes in Hawaii—I mean Governmental expenditure?

Mr. ALEXANDER. It is very difficult to say, the way the accounts have been kept. There is a school tax, and then there is a large amount

of money out at interest which belongs to the board of education. And in the third place there is an appropriation by the Legislature. They appropriate by the Legislature $190,000 for school purposes for the biennial period. That is less than they generally appropriate.

Senator GRAY. Was that out of the general fund?

Mr. ALEXANDER. Yes, besides the school tax. I think you could add $100,000 more from other sources.

The CHAIRMAN. That would make $290,000 for the biennial period?

Expenditures for education in the Hawaiian Islands for the Biennial period 1890–1892:

Appropriations for Government schools	$304,022
Less unexpended	46,653
Expended out of appropriations	257,369
School tax	151,906
Receipts from other sources	38,662
Total expended on Government schools	2) 447,937
Annual expenditure on Government schools about	224,000
Annual estimated expenditure on Independent schools about	60,000
Total expended for schools per annum	284,000

E. & O. E. W. D. ALEXANDER.

Senator GRAY. Appropriated by the Legislature?

Mr. ALEXANDER. Appropriated. Then a number of smaller amounts.

Senator GRAY. What do they aggregate?

Mr. ALEXANDER. For new schoolhouses there was appropriated $52,500.

Senator GRAY. In addition to those other sums?

Mr. ALEXANDER. In addition to that: Industrial and reformatory school, by appropriation of 1890, $12,000; expenses of census, $12,000, and expenses of normal instruction, $2,000.

The CHAIRMAN. Is that the school census?

Mr. ALEXANDER. The census of the islands is placed under the care of the board of education. Here is a list of the teachers and salaries.

The CHAIRMAN. Do you think that the interest on the endowment of the private schools would amount to a sum equal to that of the Government expenses which you have been quoting here?

Mr. ALEXANDER. No, I think not.

The CHAIRMAN. You could give, I suppose, a general idea of what was the expenditure for education in these private schools and these endowed colleges?

Mr. ALEXANDER. They are not obliged to report their expenses to the Government.

The CHAIRMAN. I know they are not; but I want your own estimate. I want to ask you about what were the annual expenditures of the Government of Hawaii for all other purposes besides school purposes. Take that same year.

Mr. ALEXANDER. I think their total budget for the biennial period was about $2,800,000.

The CHAIRMAN. That includes what you have just enumerated?

Mr. ALEXANDER. Including everything.

Senator GRAY. Two millions eight hundred thousand dollars for the biennial period?

Mr. ALEXANDER. Biennial period.

Senator GRAY. That would be $1,400,000 a year?

Mr. ALEXANDER. I think the direct tax will reach about a million in round numbers; then the customs dues about the same in round numbers.

The CHAIRMAN. And the balance is made out of licenses, I suppose?

Mr. ALEXANDER. Yes; besides rents of lands, etc.

Senator GRAY. You say about $2,800,000 for the biennial period of 1890 and 1891. That includes school taxes and all appropriations for public purposes?

Mr. ALEXANDER. Yes.

Senator GRAY. Does that include municipal expenses?

Mr. ALEXANDER. Yes; I might say it does to a certain extent.

Senator GRAY. Are there any minor districts or subdivisions that have the right of taxation?

Mr. ALEXANDER. There are not.

Senator GRAY. The city of Honolulu, for instance?

Mr. ALEXANDER. It is governed as Washington is, by the General Government.

Senator GRAY. The expenses of that city are included in the figures you have given?

Mr. ALEXANDER. Yes.

Senator GRAY. Are there any outlying districts of the Kingdom invested with the right of taxation, like our counties?

Mr. ALEXANDER. No, there is no municipal organization. The school tax and the road tax are reserved for that district and the board of road commissioners.

The CHAIRMAN. But that is a question of expenditure?

Mr. ALEXANDER. They elect their own road commissioners.

Senator GRAY. It all comes under the general treasury?

Mr. ALEXANDER. Yes.

The CHAIRMAN. You have a governor of all the islands?

Mr. ALEXANDER. They have abolished that office.

The CHAIRMAN. You have no local councils to regulate anything?

Mr. ALEXANDER. No. The duties that formerly belonged to the governor are divided between the sheriffs and tax collectors. The main duty of the governor was to collect taxes. He was a representative of the King, a politician and wire-puller—managed elections.

The CHAIRMAN. Now, I want to ask you——

Mr. ALEXANDER. It is a rather centralized government.

The CHAIRMAN. I want to ask you about the manner in which the general population of Hawaii are supplied with clothing; whether they are now comfortably and decently clad?

Mr. ALEXANDER. They are generally decently clad. The climate does not require a great deal.

The CHAIRMAN. They do not use much woolen goods?

Mr. ALEXANDER. No. The population is generally near the level of the sea, the lowlands. The upland is not inhabited much.

The CHAIRMAN. The people do not have much occasion to use woolen goods?

Mr. ALEXANDER. No.

The CHAIRMAN. Cotton is the chief article for wearing apparel?

Mr. ALEXANDER. Yes, among the lower classes.

The CHAIRMAN. As a rule are the people well supplied with clothing?

Mr. ALEXANDER. Yes. There is no suffering from cold in that country.

The CHAIRMAN. No suffering for want of proper clothing?

Mr. ALEXANDER. No; and I do not think anybody suffers for want of food.

The CHAIRMAN. I was going to ask you whether the food supply of the islands is sufficient for the population.

Mr. ALEXANDER. Yes. One thing is, we have no poor laws, and the people take care of each other, help each other to a great extent.

The CHAIRMAN. You have no poor system at all—no system of public charity?

Mr. ALEXANDER. King Lunalilo left lands worth some hundred thousand dollars which were devoted to the founding of a home for indigent Hawaiians. That was near Honolulu.

The CHAIRMAN. Is that home kept up now?

Mr. ALEXANDER. Kept up now; but the natives will not go there if they have any friends left.

Senator GRAY. Do they have a pride about it?

Mr. ALEXANDER. I do not think it is so much pride as it is to avoid the restraint. They like to be with their friends and kinsmen.

The CHAIRMAN. I would like to ask whether the domestic relations of the Kanakas are characterized by an affectionate regard for each other, or whether they are indifferent to each other.

Mr. ALEXANDER. I think they are very kindly, much more so than the other races of the Pacific Ocean, and much more so than in the olden time.

The CHAIRMAN. Have you any Government hospitals in Hawaii?

Mr. ALEXANDER. Yes; we have a very good hospital in Honolulu. It was founded by Kamehameha IV and his queen, founded by subscriptions and supplemented by appropriations. It is a very creditable institution. We have local hospitals in the small towns.

The CHAIRMAN, Maintained at Government expense?

Mr. ALEXANDER. Yes. Then we have a hospital for lepers. That is out on an island by itself. They have a receiving hospital for suspected lepers, where they are kept and attended until they become hopeless cases, and then they are sent to Molokai. It is natually fenced off by nature. I think I have a map showing it. (Producing map.) The lepers' settlement is that little flat peninsula there. Here is a line of precipices two thousand and more feet in height.

Senator GRAY. Is that island volcanic?

Mr. ALEXANDER. Volcanic.

Senator GRAY. Are there any settlements there?

Mr. ALEXANDER. Along the coast there. That peninsula is cut off by precipices.

Senator GRAY. Is that where that priest was?

Mr. ALEXANDER. Father Damien? Yes.

Senator GRAY. Did you know him?

Mr. ALEXANDER. Yes.

Senator GRAY. Is their condition one of suffering from the disease?

Mr. ALEXANDER. They do not suffer much; it is the nature of the disease. The Government has done everything it could for them—they are well housed, doctored, and well fed.

Senator GRAY. Did not Father Damien die of it?

Mr. ALEXANDER. He did. Most of the old residents can see how it spreads, can trace its lines. Some doctors maintain that it is not contagious.

The CHAIRMAN. But they can see how it was spread in a neighborhood?

Mr. ALEXANDER. Yes.

Senator GRAY. Was that disease known there in olden times?

Mr. ALEXANDER. About 1860. It was unheard of there until I went back from this country.

The CHAIRMAN. You understand the Chinese brought it in?

Mr. ALEXANDER. The native name for it is "Chinese disease."

The CHAIRMAN. Have you an institution or institutions for the deaf, dumb, and blind?

Mr. ALEXANDER. Not the deaf and dumb, but we have an insane asylum—at the present time in a creditable condition, since the revolution of 1887.

The CHAIRMAN. Have you any penitentiary system?

Mr. ALEXANDER. Yes; we have a principal prison at Honolulu; then we have smaller ones in different districts. When they are sentenced they are sent out to Honolulu.

The CHAIRMAN. Persons sentenced to hard labor?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Are those institutions sustained by the Government?

Mr. ALEXANDER. Yes. By the last census the number of convicts, the number of persons in prison, was about one-third of 1 per cent. That includes drunks locked up. It includes more than the regular convicts. I think it was a pretty good showing.

The CHAIRMAN. Is the administration of justice there conducted with strictness?

Mr. ALEXANDER. Yes; I think that is the best feature of our Government. The higher courts have always been above suspicion, and I think justice is more prompt and reliable than in most of the States.

The CHAIRMAN. Do they have the jury system?

Mr. ALEXANDER. Yes; murderers are hanged.

Senator GRAY. How many executions do you have a year?

Mr. ALEXANDER. Oh, they are very rare.

Senator GRAY. Do you have them as often as once a year?

Mr. ALEXANDER. No; formerly they were very rare; of late they are more frequent, because of the foreign element that comes in. Strange to say, of late the Japanese amongst themselves commit most of the murders. The Japanese imported for labor are of the lowest class of people of their country, and the murderers have been because of gambling and quarrels about women. The murders among natives are rare in Hawaii.

The CHAIRMAN. Take your school attendance and church attendance, and the absence of mendicancy and poorhouses——

Mr. ALEXANDER. Mendicants are unknown; tramps are unknown.

The CHAIRMAN. And the small percentage of criminals necessary to be locked up in the penitentiary, you think you have a pretty high state of civilization in Hawaii, do you not? Taking it all together, is not that your opinion?

Mr. ALEXANDER. I think that life and property are as safe there as in any place in the world.

The CHAIRMAN. Are the people turbulent, or are they quiet?

Mr. ALEXANDER. They are a rather quiet people. They were governed by an iron hand under the old chiefs, and they have been accustomed to obey law, and they have not lost that respect for law. They are a law-abiding people.

The CHAIRMAN. It is a country in which every right is regulated by law, protected by law, or intended to be?

Mr. ALEXANDER. Yes.

The CHAIRMAN. I was asking you about the food supply. Do you state that it is sufficient; that is, that the native production is sufficient to sustain the population?

Mr. ALEXANDER. Yes. We import a good deal——

The CHAIRMAN. I do not mean what you import; I mean what is the capacity of the country for producing a sufficiency of food for the nurture and comfort of man?

Mr. ALEXANDER. Nobody there goes hungry. The resources of the country are only begun to be developed, in my opinion.

The CHAIRMAN. Do they have meat as well as farinaceous food?

Mr. ALEXANDER. Yes.

The CHAIRMAN. What description of animals; what do you use as meat?

Mr. ALEXANDER. Cattle and sheep.

The CHAIRMAN. How about hogs?

Mr. ALEXANDER. They were there before the island was discovered; they had hogs, fowls, and dogs.

The CHAIRMAN. The forests in Hawaii, I suppose, furnish sustenance for the hogs—fern and roots?

Mr. ALEXANDER. We have wild hogs and hunt them. Some wild boars are pretty dangerous. But most of the hogs are fed, kept up.

The CHAIRMAN. On what?

Mr. ALEXANDER. On vegetables and scrapings of taro, etc.

The CHAIRMAN. Can you take a hog and fatten him on taro?

Mr. ALEXANDER. Yes.

The CHAIRMAN. And on other like productions of the forests there?

Mr. ALEXANDER. Certainly——

The CHAIRMAN. Wild roots, bulbs, arrowroot. Do they eat that?

Mr. ALEXANDER. Yes. But the arrowroot is too expensive.

The CHAIRMAN. I do not mean that. If the hog finds it in the woods, would he eat it?

Mr. ALEXANDER. Oh yes.

The CHAIRMAN. Where are the cattle grazed?

Mr. ALEXANDER. On the lands that are not so rich—the interior lands, generally.

Senator GRAY. Do you have fine, choice stock there?

Mr. ALEXANDER. Yes; we have imported a great many from Australia and the United States.

The CHAIRMAN. Have you grazing for them?

Mr. ALEXANDER. The grazing has been overdone by cattle, and much of it ought to be cultivated, and will be.

The CHAIRMAN. Does the grazing produce good beef and milk?

Mr. ALEXANDER. Yes.

The CHAIRMAN. And poultry—is that an important element in human support in Hawaii?

Mr. ALEXANDER. Well, they had poultry in the islands before they were discovered.

The CHAIRMAN. Do they have poultry in any abundance?

Mr. ALEXANDER. I think so—about as in this country.

The CHAIRMAN. What grains do they raise in Hawaii?

Mr. ALEXANDER. Rice the principal grain.

The CHAIRMAN. Do the Hawaiians feed their poultry on rice?

Mr. ALEXANDER. Sometimes rice and maize, Indian corn.

Senator GRAY. Do they raise good crops?

Mr. ALEXANDER. Beginning to. All those things were neglected

through the sugar craze. When sugar was paying so well they neglected raising these other things.

The CHAIRMAN. What I want to know is, whether they sustain the population of the country?

Mr. ALEXANDER. Corn? I know a district where a good deal of land has been cut up under the homestead laws of the last two or three years and where they have raised a good deal of corn. It is the district of Kula. It is interesting to see it.

The CHAIRMAN. Good corn crops?

Mr. ALEXANDER. Yes. We can raise wheat. In one district we have produced 25,000 bushels in a year. But they found out they could raise wheat in California, and they changed the production in the other direction. We now import our flour.

The CHAIRMAN. You do not import your wheat?

Mr. ALEXANDER. Yes, for our poultry. All our oats we could raise.

The CHAIRMAN. How about sweet potatoes?

Mr. ALEXANDER. They always had potatoes. The natives live on them to some extent in some districts.

The CHAIRMAN. It is a valuable crop in Hawaii?

Mr. ALEXANDER. It is part of the crops, part of the food of the country. They do not export it.

The CHAIRMAN. I am speaking of the capacity. You could make enough Irish potatoes on the ground if you had a market for them?

Mr. ALEXANDER. Yes.

The CHAIRMAN. How about peas and beans?

Mr. ALEXANDER. We have a good crop there.

The CHAIRMAN. Do the natives like them?

Mr. ALEXANDER The natives do not consume any of them; mostly foreigners raise them.

The CHAIRMAN. Sugar cane is a native growth?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Have the natives different methods of their own of manufacturing different articles of diet out of the sugar cane?

Mr. ALEXANDER. They never manufacture sugar.

The CHAIRMAN. I do not mean sugar—syrups. Do they make them themselves?

Mr. ALEXANDER. I do not think they do.

The CHAIRMAN. They could make any quantity they desired, could they not?

Mr. ALEXANDER. They could.

The CHAIRMAN. But the capability of the country is great in the production of sugar cane?

Mr. ALEXANDER. Yes; it surpasses any other country in the world. I would not dare to say how much they raise to the acre.

The CHAIRMAN. Now we come to taro, as you call it. That is a succulent root?

Mr. ALEXANDER. Yes.

The CHAIRMAN. To what dimensions does it grow—the average taro bulb or root?

Mr. ALEXANDER. From 2 to 5 pounds, we call them; sometimes more.

The CHAIRMAN. How long do they grow before maturing?

Mr. ALEXANDER. Over a year.

The CHAIRMAN. Is there any season of the year at which you have to plant taro?

Mr. ALEXANDER. Any season, I think.

The CHAIRMAN. A continuous crop; so that when a man takes up a taro root he can put another in its place?

Mr. ALEXANDER. Yes. It is said that taro will support more persons to the acre than any other article of food.

The CHAIRMAN. Is it nutritious?

Mr. ALEXANDER. Very nutritious.

Senator GRAY. Palatable?

Mr. ALEXANDER. Yes, very.

The CHAIRMAN. Is it subject to any of the diseases peculiar to vegetables?

Mr. ALEXANDER. Not till lately. In the northernmost island, the Kauai, there is something blighting it, and we are studying it to find out what blights it.

The CHAIRMAN. But it is a steady, reliable crop for human sustenance?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Are the natives fond of it?

Mr. ALEXANDER. That is their staff of life. When they say food they mean taro.

The CHAIRMAN. Do they have it in abundance?

Mr. ALEXANDER. Yes.

The CHAIRMAN. No dearth of it, no shortness?

Mr. ALEXANDER. In olden times they had periodical local famines.

The CHAIRMAN. Since you have been on the islands?

Mr. ALEXANDER. They have cultivated it more regularly of late.

The CHAIRMAN. Have they had any of those famine periods there since you were born?

Mr. ALEXANDER. Yes; I remember in olden times they had periods when taro was scarce.

Senator GRAY. Was there any suffering during that period?

Mr. ALEXANDER. Yes. They were improvident; they would overproduce sometimes and neglect to plant.

The CHAIRMAN. Is that the first crop in importance?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Rice is planted for export?

Mr. ALEXANDER. Yes, for home consumption and about ten millions of pounds a year to export.

The CHAIRMAN. At what elevation is that grown?

Mr. ALEXANDER. It is generally grown near the sea. It is an irrigated crop, especially on the Island of Oahu, where we have artesian wells.

The CHAIRMAN. Is there a supply of wells on that island?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Are they numerous?

Mr. ALEXANDER. I think there may be nearly a hundred by this time.

The CHAIRMAN. Are those artesian wells flowing wells in other parts of the islands?

Mr. ALEXANDER. Not yet. They have not made a success of the artesian wells in any other island.

The CHAIRMAN. They have been trying to do it, but they have not done it?

Mr. ALEXANDER. Yes, in that island they have a head of 20 to 40 feet above sea level.

The CHAIRMAN. Is it fresh water?

Mr. ALEXANDER. Yes. The rice crop, I suppose, is worth about a half million dollars a year.

The CHAIRMAN. Suppose that rice crop were all consumed in Hawaii, would that be a very valuable addition to the country?

Mr. ALEXANDER. It would.

The CHAIRMAN. Now about fruits. I believe you mentioned tropical fruits?

Mr. ALEXANDER. The orange does very well there and the banana. We export a good many of the latter. The pineapple we export; in fact, the business is just commenced of raising them. Our chief markets would be Oregon, Washington, and British Columbia.

The CHAIRMAN. Have you the guava?

Mr. ALEXANDER. Yes. It grows wild.

The CHAIRMAN. Lemons and limes?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Cocoanuts?

Mr. ALEXANDER. To a certain extent.

The CHAIRMAN. Are they capable of being grown there to any extent?

Mr. ALEXANDER. On a great part of the coast, the sandy part of the coast, they might plant cocoanut trees.

The CHAIRMAN. Do cocoanut trees prosper there?

Mr. ALEXANDER. Yes. But we are pretty near the northern limit of the cocoanut. They do not do as well there as near the equator.

The CHAIRMAN. Do you raise grapes?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Is Hawaii a good grape country?

Mr. ALEXANDER. I think it is.

The CHAIRMAN. Equal to California?

Mr. ALEXANDER. I think not. Coffee would be one of our most important crops. The coffee is of a good quality.

Senator FRYE. Mr. Spalding, who appeared before the committee, was asked by me about the coffee crop, and he suggested that it was doubtful about raising coffee successfully, because there was a blight on the trees there.

Mr. ALEXANDER. There was a blight on them in the fifties, and the people were discouraged; but it seems now to have nearly disappeared, and it depends on good judgment in cultivation. We are not afraid of it. We never had the blight that they had in Ceylon, nothing like that; our blight is of a different character.

The CHAIRMAN. It is an insect, is it not?

Mr. ALEXANDER. Of a vegetable nature, I think.

The CHAIRMAN. Parasitic?

Mr. ALEXANDER. Yes. In Ceylon it was very deadly. We have made strict laws about bringing in plants, to prevent more blights. The coffee interest has now taken quite a start in Hawaii.

Senator FRYE. And in your opinion it will prove very successful?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Does the Government of Hawaii take care of the production of human food by protective laws?

Mr. ALEXANDER. We have a department established, a bureau of forestry and agriculture, which is importing and experimenting with plants, supplying them to farmers, etc.

The CHAIRMAN. You have Government farms for raising those?

Mr. ALEXANDER. We have experimental gardens near Honolulu. In fact, we are just beginning.

The CHAIRMAN. How about the vines—melons and pumpkins?

Mr. ALEXANDER. They do very well there.

The CHAIRMAN. Ordinary garden vegetables?

Mr. ALEXANDER. They all succeed there. The Chinese monopolize the market gardens, around Honolulu, at least.

The CHAIRMAN. Do they succeed in making crops?

Mr. ALEXANDER. Yes, they succeed. With regard to the pumpkins and melons, they are cultivated by natives to a considerable extent.

The CHAIRMAN. And tobacco?

Mr. ALEXANDER. And tobacco.

The CHAIRMAN. How about it?

Mr. ALEXANDER. It grows there very rank, and the quality is very strong; generally supposed that it might be good tobacco if properly cured and treated.

The CHAIRMAN. Is the raising of tobacco made a regular industry in any part of the islands?

Mr. ALEXANDER. Yes; but does not amount to much for export.

The CHAIRMAN. Does it amount to enough to indicate that it is a tobacco country?

Mr. ALEXANDER. Yes. The Government proposes to institute experiments to see whether it depends on the quality of the seed. The Government at one time offered a reward for a proper method of curing tobacco to take out those strong, offensive qualities.

The CHAIRMAN. How much railroad have you in Hawaii?

Mr. ALEXANDER. I do not know that I could give the figures. We have 17 miles of railroad in Oahu; have one on Mani, 15 miles; we have one in North Hawaii, something over 20 miles, and others projected, besides tramways.

The CHAIRMAN. You mean horse railways?

Mr. ALEXANDER. Yes; we have them in all the plantations and street tramways in Honolulu.

The CHAIRMAN. Street tramways on all the plantations, you say?

Mr. ALEXANDER. Yes—mule tracks. And some of the plantations have them to connect them with the harbor, the landing.

The CHAIRMAN. So that your system is just being projected?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Have you telegraph communication between different parts of the island?

Mr. ALEXANDER. Each principal island has a system of telephone running around it; but no interisland communication, across channels.

The CHAIRMAN. No cable between the islands?

Mr. ALEXANDER. Not yet.

The CHAIRMAN. What is the method of communication between the islands?

Mr. ALEXANDER. We have twenty—twenty-two steamers, I think, and more than that number of sailing vessels.

The CHAIRMAN. Do the natives go from island to island in their canoes?

Mr. ALEXANDER. In olden times they did.

The CHAIRMAN. Would those canoes be paddled or under sail?

Mr. ALEXANDER. Both, in olden times.

The CHAIRMAN: The Hawaiians were sailors?

Mr. ALEXANDER. Sailors. Sometimes they went out of sight of land and steered by the stars.

The CHAIRMAN. They were navigators, then?

Mr. ALEXANDER. Naturally.

The CHAIRMAN. Before they knew anything of the use of the compass?

Mr. ALEXANDER. They have traditions of voyages to other groups. No doubt they made them; but they have not made them for several hundred years.

The CHAIRMAN. But they would make those voyages out of sight of land, and steer by the stars?

Mr. ALEXANDER. By the stars.

The CHAIRMAN. And without the aid of the compass?

Mr. ALEXANDER. Yes.

The CHAIRMAN. You have spoken about the people being fond of water and fond of aquatic pursuits. Is that a characteristic of the islanders?

Mr. ALEXANDER. Yes; a characteristic of the Polynesians generally. They live around the fringes of the islands, and are seamen. They make the best boatmen in the world.

The CHAIRMAN. Good swimmers?

Mr. ALEXANDER. Universally so.

The CHAIRMAN. Women and children?

Mr. ALEXANDER. All good swimmers.

The CHAIRMAN. All good swimmers, and begin very young. It is really taught as a part of their physical education?

Mr. ALEXANDER. I should say so. They perform some extraordinary feats in the water, swimming and diving.

The CHAIRMAN. They are divers also?

Mr. ALEXANDER. Yes; formerly, in early times, a great many of them went away, left the country as sailors.

The CHAIRMAN. Went away in ships?

Mr. ALEXANDER. In the 40's it was referred to as a serious evil that so many of the young men were sailors—never came back; and they passed a law in 1850 restricting young men from leaving the country without permission of the Government.

The CHAIRMAN. I suppose if these islands belonged to the United States we might look to the native islanders as a large source of supply for seamen, could we not?

Mr. ALEXANDER. They would make good seamen.

The CHAIRMAN. They are fond of it?

Mr. ALEXANDER. We, as their friends, would prefer to see them in agriculture in the country. At the present time very few of them are sailors.

The CHAIRMAN. I am speaking now of the population and the capacity of those people to supply such a want as that.

Mr. ALEXANDER. Yes, they are well adapted to that.

The CHAIRMAN. Well adapted to supplying the commercial marine and navy with sailors?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Are they obedient men on board ship?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Industrious?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Are they subservient to discipline without being rebellious?

Mr. ALEXANDER. I think they are. They are not inclined to be mutinous.

The CHAIRMAN. Then I take it to be your opinion that a larger population than now exists on the islands, including all, could be sustained

comfortably and prosperously upon the native capacity of the soil to produce articles of human food?

Mr. ALEXANDER. I think probably five times the present population. There are some districts nearly uninhabited.

The CHAIRMAN. And still leave a fair margin for exportation?

Mr. ALEXANDER. Yes.

The CHAIRMAN. As exchange to get goods of other countries there?

Mr. ALEXANDER. Yes; wherever we go we find abandoned taro patches and abandoned water courses overgrown with forests, at the same time showing that there was a dense population there hundreds of years ago.

The CHAIRMAN. I believe that is all I care to ask you about the general character of that country. I wish now to come to the political side.

Senator FRYE. If you will allow me, right there, I want to ask a question. I have in my hand a history of the Hawaiian Islands, written for educational purposes in the islands, a book of 340 pages. Are you the author of this book?

Mr. ALEXANDER. Yes, I am the author.

Senator FRYE. Written at the request of the board of education?

Mr. ALEXANDER. Yes.

Senator FRYE. And is it to be used in the schools?

Mr. ALEXANDER. It is used in the schools.

Senator FRYE. Are you the auther of any other book there—geography?

Mr. ALEXANDER. I was the author of a grammar of the Hawaiian language and of a good many pamphlets and separate papers.

Senator FRYE. I see here that you purpose writing certain other books. Have you written any of them?

Mr. ALEXANDER. I have not completed any of them.

Senator FRYE. You had a good many conversations with Mr. Blount, did you not?

Mr. ALEXANDER. I did.

Senator FRYE. They were not taken down by a stenographer at the time?

Mr. ALEXANDER. No; they were informal.

Senator FRYE. But you gave Mr. Blount a prepared, a written paper of the history of the incompleted annexation treaty of 1854, a history of the general causes that led to the revolution—a political history of Kalakaua's reign until 1888?

Mr. ALEXANDER. Yes; and those have been printed.

Senator FRYE. Have you read them since they have been printed?

Mr. ALEXANDER. Yes.

Senator FRYE. They are printed correctly, are they?

Mr. ALEXANDER. Yes.

Senator FRYE. Did you also prepare a constitutional history of that country since the beginning of the century?

Mr. ALEXANDER. Yes. That has not been published yet.

Senator FRYE. Did you give that to Mr. Blount?

Mr. ALEXANDER. I gave him a copy.

Senator FRYE. Has that been printed?

Mr. ALEXANDER. No.

Senator FRYE. Have you a copy of that constitutional history?

Mr. ALEXANDER. I have the original draft.

Senator FRYE. And will you furnish the committee that history?

Mr. ALEXANDRR. I will.

The CHAIRMAN. It will not be necessary for you to repeat anything that you have stated in that history to Mr. Blount. You have furnished me heretofore a paper that I must acknowledge I have not read. It is a continuation of the sketch of recent Hawaiian politics, and treats of various things. I will read that in your hearing, and see if you are prepared to depose to it as being correct.

[The preceding narrative is published in Col. Blount's report, part IV, pp.

CONTINUATION OF THE SKETCH OF RECENT HAWAIIAN POLITICS.

THE ROYAL VETO.

"This preceding narrative ended with the revolution of 1887, which was expected to put an end to personal rule in the Hawaiian Islands by making the ministry responsible only to the people through the legislature, by taking the power of appointing the Upper House out of the hands of the Sovereign, and by making officeholders ineligible to the legislature.

"The remaining three and a half years of Kalakaua's reign teemed with intrigues and conspiracies to restore autocratic rule.

"The reform party, as has been stated, gained an overwhelming majority of seats in the legislature of 1887, and had full control of the government until the legislative session of 1890.

"During the session of 1887 a contest arose between the King and the legislature in regard to the veto power, which at one time threatened the public peace. The question whether by the terms of the new constitution the King could exercise a personal vote against the advice of his ministers or not was finally decided by the supreme court in favor of the Crown, Judge Dole dissenting."

He is the present president?

Mr. ALEXANDER. Yes.

The CHAIRMAN. "During the following session of 1888 the King vetoed a number of bills which were all passed over his veto, by a two-thirds vote, with the exception of a bill to encourage coffee planting.

"CONSPIRACIES.

"The King's sister, the then Princess Liliuokalani, on her return from England, had charged her brother with cowardice for signing the constitution of 1887, and was known to be in favor of the old despotic system of government."

That was the constitution under which Liliuokalani took her present attitude, or recent attitude as Queen of Hawaii?

Mr. ALEXANDER. Yes.

The CHAIRMAN. "Two Hawaiian youths, R. W. Wilcox and Robert Boyd, whom Moreno had placed in military schools of Italy, as before stated, had been recalled towards the end of 1887. They had been led to expect high positions from the Gibson government, and their disappointment was extreme. Hence they were easily induced to lead a conspiracy which had for its object the abrogation of the constitution of 1887, and the restortation of the old régime. They endeavored to form a secret league, and held public meetings to inflame the native mind, but without much success. It is said that the royal guards were won over, and that the three chief conspirators, R. W. Wilcox. C. B. Wilson, and Sam Nowlien, demanded the King's abdication in favor of Liliuokalani. Several members of their league, however, turned inform-

ers, and a mass of sworn evidence was collected, but never used against them. The leader, Robert Wilcox, was allowed to go to California, where he remained about a year, biding his time."

Mr. ALEXANDER. The story was that those conspirators cornered the King in a room in the tower of the palace and tried to compel him to abdicate then and there, and Thurston, who was at the head of the Cabinet, stopped it.

The CHAIRMAN. Do you speak of stories, or do you speak of the current belief?

Mr. ALEXANDER. In regard to that Mr. Thurston gave me more especial evidence. He had the conspirators examined one by one, took down their statements, and he has them locked up.

The CHAIRMAN. In what capacity was he acting at the time?

Mr. ALEXANDER. He was minister of the interior, and virtually premier; leading member of the Cabinet.

The CHAIRMAN. Of Kalakaua's Cabinet?

Mr. ALEXANDER. Yes.

The CHAIRMAN. What year was that?

Mr. ALEXANDER. I think about the beginning of 1888.

The CHAIRMAN. Then you take up the insurrection of 1889?

"Meanwhile a secret organization was being formed throughout the islands, and when some progress has been made, Mr. Wilcox returned to Honolulu in April, 1889, formed a rifle club, and began to prepare for another revolution."

Mr. ALEXANDER. The object was to make him abdicate in favor of the Princess Liliuokalani.

The CHAIRMAN. "The meetings of the league were held in a house belonging to the Princess Liliuokalani.

"At the subsequent trial it was proved by the defense, that the King had latterly come to an understanding with the conspirators, whose object was to restore his autocratic power."

Where was the trial held?

Mr. ALEXANDER. In her room.

The CHAIRMAN. Was it a judicial investigation?

Mr. ALEXANDER. Yes.

The CHAIRMAN. In what court?

Mr. ALEXANDER. The supreme court. I think I speak of that afterward.

The CHAIRMAN. "Before light, on the morning of July 30, 1889, Robert Wilcox with about one hundred and fifty armed followers, occupied the Government buildings and the palace yard. No declaration of any kind was made, as they expected the King, who was at the seaside, to come up and proclaim the old constitution of 1864."

Senator GRAY. Is that the same Wilcox who was in the cabinet?

Mr. ALEXANDER. No; that was a white man; this was a half white, who was sent to Europe to be educated—sent to school. He went to Italy and became a second lieutenant in the artillery.

The CHAIRMAN. What relation is he to the Wilcox who was in the cabinet?

Mr. ALEXANDER. No relation. His father was a white man and his mother was a native.

The CHAIRMAN. "The household troops in the barracks remained neutral, and the palace was held against the insurgents by Robert Parker, with 30 men, by the King's orders."

Is that the same Parker who was in the cabinet?

Mr. ALEXANDER. A brother of his.

The CHAIRMAN. "The King, who distrusted the conspirators, had retired to his boathouse in the harbor to await results."

The harbor of Honolulu?

Mr. ALEXANDER. Honolulu.

The CHAIRMAN. "The volunteer riflemen promptly turned out, and many of the citizens took up arms for the Government."

I will ask you whether amongst those citizens there was the missionary party?

Mr. ALEXANDER. Some of them.

The CHAIRMAN. Did you go into the company?

Mr. ALEXANDER. Two of my sons were members of the rifle company. I went down to the station house and offered my services.

The CHAIRMAN. That was in support of the Kalakaua Government?

Mr. ALEXANDER. It was Kalakaua's Government putting down the rebellion against him, although it was believed the King connived at it. You see the conspiracy was planned in Liliuokalani's house, one of her houses, and before daylight in the morning they started from her house. Nobody has any doubt that she was at the bottom of it.

The CHAIRMAN. And her purpose was to dethrone Kalakaua?

Mr. ALEXANDER. It was thought later that they came to an understanding; they were not strong enough to carry that out.

Senator GRAY. What year was that?

Mr. ALEXANDER. July 30, 1889. Kalakaua acted in such a way that, whichever way the affair went, whether success or failure, he would be safe. If they had succeeded he would have gone up and proclaimed the old constitution; as they failed, he denied that he was connected with the movement.

The CHAIRMAN. "At the request of the United States minister, Mr. Merrill, a body of marines was landed, and marched up to the legation, where they remained during the day."

Mr. ALEXANDER. The legation was on the hotel premises, quite near to the palace.

The CHAIRMAN. "This had a great moral effect. The insurgents were surrounded and isolated from the populace outside."

Where were the insurgents assembled?

Mr. ALEXANDER. In the palace yard. The rifles formed a cordon.

The CHAIRMAN. Full-armed?

Mr. ALEXANDER. Yes; they established patrols before daylight.

The CHAIRMAN. The military of the two parties were in hostile array?

Mr. ALEXANDER. The insurgents went to the barracks, got cannon and ammunition, and the troops in the barracks were ordered by the Queen to remain neutral. But they allowed the insurgents to go there and help themselves to ammunition and cannon. There was a duel took place between our artillerymen and the cavalry.

The CHAIRMAN. "The ministry drew up a written summons to them to surrender, which was served on them by Hon. S. M. Damon, but they refused to receive it, and immediately afterwards the conflict commenced between their three fieldpieces and the sharpshooters in the Opera House and other buildings commanding the palace yard. The result was that their guns were soon silenced and they were driven into a wooden building on the palace grounds, where they were besieged during the afternoon. Towards night a heavy rifle fire was opened upon them and the roof of the building burst in by dynamite bombs, which forced them to surrender."

Mr. ALEXANDER. About the dynamite. The palace was surrounded by a stone wall 8 feet high, and the dynamite bombs were thrown from

behind that wall by a base-ball pitcher and between 200 and 300 feet. They fell on the roof of the building and burst it in. It was covered with corrugated iron. They did not stay there very long.

The CHAIRMAN. That was what building?

Mr. ALEXANDER. Iolani Palace.

The CHAIRMAN. "Unfortunately this was by no means a bloodless affair, as seven of Wilcox' deluded followers were killed and about a dozen wounded. It was afterwards known that 10,000 rounds of ammunitions were loaned from the U. S. S. *Adams* to the Government forces."

What do you call the Government forces, the rifles?

Mr. ALEXANDER. Yes.

The CHAIRMAN. And the attacking party?

Mr. ALEXANDER. And the attacking party.

The CHAIRMAN. "Wilcox was afterward put on trial for treason, and was acquitted by a native jury, on the theory that what they did was by and with the King's consent."

Mr. ALEXANDER. Yes.

The CHAIRMAN. What was the result?

Mr. ALEXANDER. There were three for conviction and nine for acquital.

Senator FRYE. Is that regarded as a disagreement of the jury?

Mr. ALEXANDER. Yes. Three-fourths of a jury may convict. The jury system is peculiar there. Foreigners are tried by a jury made up of foreigners, and natives and half-whites are tried by a native jury.

The CHAIRMAN. A native jury may be composed of Kanakas or half-whites?

Mr. ALEXANDER. Yes. In late years race prejudices have influenced the juries to a great extent.

The CHAIRMAN. But the rule is that three-fourths of a jury may convict?

Mr. ALEXANDER. Yes.

The CHAIRMAN. I read:

"He became a popular idol, and had unbounded influence over the Honolulu natives for a time. The Princess, Liliuokalani, however deserted him and denied all knowledge of the conspiracy. This unfortunate affair was made the most of by demagogues to intensify race hatred. The license of the native press was almost incredible."

I will ask you whether the press is free in Hawaii?

Mr. ALEXANDER. Yes; free.

The CHAIRMAN. Amenable only for libelous publications?

Mr. ALEXANDER. Yes.

The CHAIRMAN. "A project of a new commercial treaty with the United States was drawn up in the fall of 1889 by the ministry in conjunction with Hon. H. A. P. Carter. It provided for free trade between the two countries, the perpetual cession of Pearl Harbor to the United States, and a guarantee of the independence of the islands by that power. By working on the King's suspicions, Mr. C. W. Ashford, the Canadian member of the cabinet, induced the King to refuse to sign the draft of the treaty."

Is Mr. Ashford there now?

Mr. ALEXANDER. Yes. He is a royalist at present. He took the ground that the King was not bound, because the cabinet was not unanimous. The rest of the cabinet invited him to resign and he would not.

Senator GRAY. Was Mr. Ashford in the cabinet?

Mr. ALEXANDER. He was in the cabinet—attorney-general. And

he got an opinion of the supreme court to the effect that a majority of the cabinet should rule. But they defied the opinion of the supreme court.

Senator GRAY. Who defied it?

Mr. ALEXANDER. That is, Ashford and the King. The attorney-general advised the King that that was an *ex parte* decision.

Senator GRAY. It was not judicial?

Mr. ALEXANDER. It was not judicial. It was not a regular decision.

The CHAIRMAN. You speak of Mr. Ashford as the Canadian member. Is he a native of Canada?

Mr. ALEXANDER. Yes.

The CHAIRMAN. A naturalized citizen of Hawaii?

Mr. ALEXANDER. No, I think not. But I think they had a way of issuing letters patent, to give a person the privilege of a naturalized citizen without being thoroughly naturalized.

The CHAIRMAN. That is called denizenship?

Mr. ALEXANDER. Denizenship. I know they had to be denizens before they could practice law.

Senator GRAY. Is not that the case with a great many foreigners?

Mr. ALEXANDER. Not naturalized?

Senator GRAY. Yes.

Mr. ALEXANDER. Under the old constitution it was almost impossible for a white man to be naturalized. Under Kalakaua's reign the law required five years' residence, and it was then at the King's discretion; he could sign the naturalization paper or not. And I know cases where white men were refused on political grounds. For example, Mr. Hitt Wallace, brother of General William Wallace, his application was refused because he was opposed to Gibson in politics. Under the old naturalization laws the applicant did not abjure his own nationality; there were cases that came up before the United States commissioner where they claimed that they were still American citizens.

Senator GRAY. What I ask is whether during the last few years it is not a fact that foreigners, Americans, Europeans, whatever their nationality, vote and exereise the rights of suffrage without being naturalized?

Mr. ALEXANDER. That is true under the constitution of 1887.

The CHAIRMAN: "A copy of the treaty, including an article, canceled by the cabinet, which authorized the landing of United States troops in certain contingencies, was secretly furnished by the King to a native paper for publication, and the cry was raised that the ministry were 'selling the country' to the United States.

Owing to division in the reform party, and other causes mentioned above, a strong opposition was elected to the Legislature, and the reform ministry went out of office on a tie vote."

Mr. ALEXANDER. That is, there were motions brought in of want of confidence. An amendment was proposed to turn Mr. Ashford out of the cabinet. The vote was taken on that amendment, and there was a majority of one for it. The speaker claimed the right to vote and made a tie. So the motion failed.

The CHAIRMAN. Was that motion against Ashford personally?

Mr. ALEXANDER. Yes; it was an amendment to turn him out as a traitor. It failed; then the cabinet resigned, and he was obliged to.

The CHAIRMAN. "As the parties were so nearly balanced, a compromise cabinet, composed of conservative men, was appointed June 17, 1890, viz: John A. Cummins, minister of foreign affairs; C. N. Spencer,

of the interior; Godfrey Brown, of finance; and A. P. Peterson, attorney-general."

Is that the same Peterson who is now one of the advisory council?

Mr. ALEXANDER. No; he was a member of the last cabinet. He was the only white man who voted for the lottery bill.

The CHAIRMAN. Is he a royalist?

Mr. ALEXANDER. Royalist.

Senator GRAY. You were all royalists at that time, were you not?

Mr. ALEXANDER. You might say he was a tory; that would be more correct.

Senator GRAY. You were a royalist?

Mr. ALEXANDER. I was not a tory; I was a whig.

Senator GRAY. You were a royalist?

Mr. ALEXANDER. Yes; I was a royalist then.

The CHAIRMAN. "The King at first proposed to the new premier his old project of a ten-million loan for naval and military purposes, but met with no encouragement. He then published a pamphlet entitled 'A Third Warning Voice,' in which he urged the establishment of a large standing army."

That is the premier did that?

Mr. ALEXANDER. No; the King.

The CHAIRMAN. "Another project favored by the King and agitated by the royalist papers was that of convening a convention, to be elected by universal suffrage, to frame a new constitution, in which the white race should be deprived of political power. With great difficulty and by the exercise of much patience and tact, this revolutionary measure was defeated, and certain amendments were proposed, lowering the qualifications required of voters for nobles, etc. After a stormy session of five months the legislature adjourned without undoing the reforms of 1887.

"In order to recruit his failing health, the King visited California in the United States cruiser *Charleston* as the guest of Admiral Brown in November, 1890. He received the utmost kindness and hospitality, both in San Francisco and in southern California. His health, however, continued to fail, in spite of the best medical attendance, and on the 20th of January, 1891, he breathed his last at the Palace Hotel, San Francisco.

"In spite of his grave faults as a ruler and as a man, he was kind-hearted and courteous in private life, and there was sincere mourning in Honolulu when the news of his death arrived there.

"Grave apprehensions were then felt at the accession of his sister, Liliuokalani, which, however, were partially relieved by her promptly taking the oath to maintain the constitution of 1887. Notwithstanding her reactionary views and her dubious record, it was hoped by many that she had enough good sense to understand her true interests and to abide by the spirit as well as the letter of the constitution. These were destined to be disappointed. Her ideal of government was the same as that of her brother, and her determination to realize it brought on the last revolution.

"Her first demand was that the existing cabinet should resign, and leave her to appoint a new cabinet. The cabinet claimed that under the constitution no power could remove them but the Legislature. On her side it was claimed that they were the late King's cabinet and 'died with the King.'

"The dispute was referred to the supreme court, which decided in favor of the Queen, Judge McCully dissenting. This gave her an

opportunity to make conditions with her appointees and to get control of the patronage in the interest of her favorites.

"Her first and chief condition with the incoming ministry was that C. B. Wilson, a notorious palace favorite (who had been appointed superintendent of water works at her request in 1881), should be appointed marshal of the Kingdom, with control of the entire police force of the islands. During the following year the administration of his department became a national scandal. The marshal openly associated on intimate terms with such criminals as Capt. Whaley, who was one of the owners of the smuggling schooner *Halcyon*, and was styled 'King of the opium ring,' and those Australian fugitives from justice who came to Honolulu in the yacht *Beagle*.

"He drew around him a gang of disreputable characters, and the whole police force became more corrupt than ever, while opium joints, gambling dens, and other criminal resorts flourished and multiplied, with its connivance. At the same time it was universally believed that the said Wilson exercised as much influence in the administration of public affairs as any member of the cabinet. To put an end to this state of things, was the chief object both of the members of the reform party and of the so-called liberals in the elections of 1892.

"In the spring of 1892 a secret league was formed, headed by V. V. Ashford, R. W. Wilcox, J. E. Bush and others, for the purpose, as they expressed it, of promoting justice and equal rights in the political government of Hawaii."

That is a quotation?

Mr. ALEXANDER. Yes.

The CHAIRMAN. From what do you take it?

Mr. ALEXANDER. Their own publications, particularly from Mr. Ashford's. They published a paper, and Mr. Ashford published a statement in it in which he used those words.

The CHAIRMAN. Used those words?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Have you a copy of that paper?

Mr. ALEXANDER. It is printed in Mr. Blount's report.

The CHAIRMAN. It is the same paper that is printed in Mr. Blount's report, the paper to which you have called attention?

Mr. ALEXANDER. I had nothing to do with it; it was given by Mr. Ashford himself.

The CHAIRMAN. "Their objects included the removal of all property qualifications for voters, the abolition of the monarchy, and ultimate union with the United States."

At present how many of those men—Ashford, Wilcox, and Bush—are annexationists?

Mr. ALEXANDER. Those leaders are not annexationists. V. V. Ashford does still claim to be an annexationist; Wilcox and Bush, who were leaders of that insurrection in 1889, to restore absent power, at this time are extreme royalists.

Senator GRAY. Is Ashford a royalist?

Mr. ALEXANDER. He calls himself a United States annexationist.

Senator GRAY. Would you call him a royalist?

Mr. ALEXANDER. Not a royalist as the other gentlemen are.

Senator GRAY. You did speak of Ashford as a royalist?

Mr. ALEXANDER. I believe that C. W. Ashford is on the side of the Queen. C. W. Ashford has changed sides so many times it would be hard to keep run of him.

The CHAIRMAN. "These measures were then advocated in a newspaper published by J. E. Bush, who has since become a royalist."

Mr. ALEXANDER. Bush and Wilcox were against white suffrage—white influence in the Government, all the time. That was their motive all the time.

The CHAIRMAN. "It is said that the league numbered over 300 members, mostly natives and half-whites. There is good evidence that at the same time the Queen's party were preparing a despotic constitution, similar to that of Kamehameha V, except that it gave the Sovereign the power of dismissal and appointment of the justices of the supreme court. At first they endeavored to form an alliance with the equal-rights league, both parties being opposed, for different reasons, to the reform constitution of 1887. Their overtures, however, having been finally rejected, the marshal proceeded to arrest the principal members of the league, under charges of treason and conspiracy. The result of the trials was that all were finally discharged, but the weakness of the league was exposed and its leaders lost much of their prestige."

Senator GRAY. When was that trial?

Mr. ALEXANDER. June, I think, 1892. Quite a number of the rank and file, principally Germans, form part of the Provisional Government's army.

The CHAIRMAN. "I do not care to give the details of the eight months legislative session of 1892. During most of the session, the liberal party, comprising most of the leaders of the above-mentioned democratic league, acted with the reform party to break the power of the palace, or Wilson party, combined, as it was, with the powerful opium and lottery rings. Three cabinets in succession were voted out, because they were considered to represent these latter elements, and to be in sympathy with the marshal."

"After a struggle of four months, the Queen temporarily yielded, and appointed a cabinet composed of conservative men of high character, who possessed the confidence of the country."

The CHAIRMAN. State who were there.

Mr. ALEXANDER. George Wilcox.

The CHAIRMAN. Give his office.

Mr. ALEXANDER. He was minister of the interior; P. C. Jones, minister of finance; Mark Robinson, half-white and of high character, minister of foreign affairs; and Cecil Brown, an Englishman, attorney-general.

The CHAIRMAN. "This cabinet distinctly declared its policy in regard to the lottery fiat paper money and other subjects, but did not choose to act on the 'burning question' of the marshalship while the Legislature was in session. Its course on this point, and the fact that the radical party was not represented in it, so exasperated the leaders of the so-called liberal party that they joined hands with the palace party and voted for measures which they had denounced on the floor of the House.

"The lottery bill, which had been referred to a committee early in the session, was brought up and passed, to the surprise and horror of the community, by lavish and shameless bribery, only one white man voting for it. By the same voters an opium license bill was passed, and the ministry was voted out two days before the close of the session."

Senator GRAY. You make a broad statement there. What was the evidence of the bribery that was practiced?

Mr. ALEXANDER. It was never brought before the courts, but it was

notorious. There were four native members who stood fast, could not be bought nor browbeaten. One of those natives said that they were offered $300 apiece and a small annuity from the lottery company after it should become established. I think that was a thing universally admitted. One of the members most active in the support of the lottery, Mr. White—I did not hear him say it directly—he boasted that he went down there to the Legislature with $2 in his pocket and went back with $800 and plenty of clothes. And I heard of his hiring a house and a piano, and before that he had been without visible means of support. And I heard of the Queen sending for certain native members and laboring with them. That was more in connection with the voting out of the ministry. Mr. Dreier, who was a German, but who had a native wife—she labored with him without success.

The CHAIRMAN. When you say that this bill was a surprise to the community, do you mean the white community, or native, or the general population?

Mr. ALEXANDER. Say rather the better elements, both white and native. If it had been put to a vote of the populace it could have been passed. A special election was held in October for representatives from Honolulu, and the lottery men were elected. That was the early part of October.

Senator GRAY. Avowed lottery men?

Mr. ALEXANDER. They shirked the question as it was put them. Probably the lottery was the real issue in the minds of the voters. I think the majority of the populace in Honolulu would have voted for it.

The CHAIRMAN. "The Queen immediately appointed a cabinet, three of whom were rejected members of former cabinets, and one the agent of the lottery ring in purchasing legislative votes."

Who was he?

Mr. ALEXANDER. John Colburn.

Senator FRYE. Who were the other three?

Mr. ALEXANDER. Colburn, minister of the interior; Cornwell, minister of finance; Sam Parker, minister of foreign relations, and Arthur Peterson, attorney-general.

The CHAIRMAN. "The liberal leaders were left out in the cold. The cabinet now consisted of S. Parker, minister of foreign affairs; W. Cornwell, minister of finance; Arthur Peterson, attorney-general, and John Colburn, minister of the interior. The public indignation was intense, but no revolutionary action was yet thought of."

Do you mean that public indignation was intense among all classes of people?

Mr. ALEXANDER. So far as I could see all the papers had opposed the lottery bill, and the chamber of commerce had passed a very strong memorial unanimously and sent it to the Queen.

The CHAIRMAN. How about the masses of the people; were they also excited about it?

Mr. ALEXANDER. About the lottery bill?

The CHAIRMAN. Yes.

Mr. ALEXANDER. I think the lower class was not opposed to it. The lower class of the natives were not particularly opposed to it, and some of the half whites said that the white men had made money and the Kanakas had not made money, and it was wrong not to give them a chance. And one or two speakers in the House said the lottery "would make money plentiful in Honolulu."

The CHAIRMAN. Were these lottery and opium bills passed in the House before the change of the ministry?

Mr. ALEXANDER. Before the change. I remember Wilcox and Bush said they voted for it in order to compel the ministry to step out.

Senator FRYE. The old ministry?

Mr. ALEXANDER. Yes. The old ministry could not remain in office and execute that law. However, they did not resign, and within a day or two a vote of want of confidence was had. There was great difficulty in getting a vote of want of confidence; it required 25 votes. At last the Queen labored with different members, and Berger, a German member, who married a daughter of Mr. , having been assured that his father-in-law could have the naming of the new cabinet—although he had promised his friends that he would not vote for the bill—went over and made the twenty-fifth vote. And Mr. , who had opposed the latter bill, was won over. He came in with a wreath of flowers around his neck, half drunk, and made the motion, and he and another native gave their reasons: "How can we trust this cabinet to carry out the lottery bill? How do we know that they will favor the change, the new constitution—carry out the wishes of the Queen in regard to the new constitution?" I remember that, because that alarmed the people.

The CHAIRMAN. Was that the first declaration you heard in regard to the new constitution?

Mr. ALEXANDER. I had not dreamed of such a thing as a *coup d'etat.* The constitutional convention had been talked of and voted down in convention. Then this speech was made; that sounded menacing.

The CHAIRMAN. Were these bills, the lottery bill and the opium bill, signed by the Queen and any of her cabinet before the change of her ministry?

Mr. ALEXANDER. I think not. The lottery bill passed on the 12th, the ministry was voted out the next day, the following day the new cabinet was formed. I suppose the volume of the laws of 1892 will show which minister countersigned the bill.

The CHAIRMAN. It was not the ministry that was voted out on the 13th that signed the bill?

Mr. ALEXANDER. No. Some little time passed, because I remember petitions were carried to the Queen in the interim, begging her not to sign it. The ladies of Honolulu went to her with a petition begging her not to sign it. She received them cordially, answered their prayers, I believe, but she did not lose any time in signing the bill.

The CHAIRMAN. "The *coup d'état,* which was sprung upon the country by the Queen on the following day, took the community by surprise, and found it entirely unprepared."

Do you mean by that the prorogation of the Legislature and attempt to promulgate the new constitution?

Mr. ALEXANDER. I mean by that the promulgation of the new constitution. That was a surprise.

The CHAIRMAN. "Undoubtedly the plot had been deeply laid long before, to be executed at the close of the legislative session."

What reason have you for stating that?

Mr. ALEXANDER. One reason is that at the trial of Robert Wilcox and Bush, particularly Wilcox, they brought in evidence to show that Sam Parker had made overtures to them on the part of the Queen to join with her to do away with the new constitution. They claimed that that had been done by a *coup d'état* before the Legislature met.

The CHAIRMAN. It was before that evidence came out, which informed the people that there was an existing purpose or plot to dispense with or overthrow the constitution of 1887.

Mr. ALEXANDER. There was sworn evidence. The Queen, I presume, denied it.

The CHAIRMAN. That was the cause of the public belief?

Mr. ALEXANDER. That was one cause. It was known, came out afterward, that the Queen signed the constitution very reluctantly, indeed.

Senator FRYE. The old constitution?

Mr. ALEXANDER. Yes. She said so in her statement. She was taken by surprise. The King's dead body arrived, and she was called upon to sign it. She did it very unwillingly, and with a mental reservation.

Senator GRAY. Did she say "with a mental reservation?"

Mr. ALEXANDER. She did not say so.

The CHAIRMAN. Then you go on to say: "The lottery was expected by the Queen to be a source of revenue; to render her independent of loans. It was also expected that the lottery company, being outlaws in the United States, could be relied upon to oppose any movement looking towards annexation." "The story of the revolution, which followed, will form the subject of a separate paper."

Have you a separate paper?

Mr. ALEXANDER. I did not think there was in sufficient evidence to make a judicial summary of the evidence.

The CHAIRMAN. As to the story of the revolution which resulted in the present Government?

Mr. ALEXANDER. It is a very tangled story, and there is not enough evidence in from both sides to make a judicial story.

The CHAIRMAN. "The pains taken by the Queen to destroy all known copies of her proposed constitution show how much she dreaded the effect of its publication, but its main points are well known."

How did they become known?

Mr. ALEXANDER. By statements of Mr. Colburn, Paul Neumann, and Ned Bush, which do not entirely agree with one another.

Senator FRYE. Paul Neumann is supposed to have drafted it; that is, it is so rumored?

Mr. ALEXANDER. Yes.

Senator GRAY. Who was Paul Neumann?

Mr. ALEXANDER. He was a German by birth. I do not know his early life. He was a lawyer in California, a member of the legislature from Sacramento. He ran for Congress and was defeated—defeated by his record, which was scandalous. He was charged with doing things for which he should have been disbarred. Soon after that he went down to the islands and became Attorney-General with Gibson, in 1883. He is supposed to have been a Spreckels man at tha ttime.

Senator FRYE. Bright man, is he not?

Mr. ALEXANDER. Bright, but unscrupulous—a Bohemian, and with it a bonhomie which pleases the people. They did not take him seriously He has done things which were condoned—things which would surprise you. He is not taken seriously.

The CHAIRMAN. "Its success would have realized her dream of reestablishing a barbaric despotism in the islands, and it was to have been followed by a clear sweep of all the offices. An unfortunate feature of the case is that the lower class of the natives, from race prejudice, would prefer such a despotism to a civilized government controlled by white men."

That is your belief, is it?

Mr. ALEXANDER. Yes; that is unfortunately true.

The CHAIRMAN. I think it would be well enough for you to sit down and prepare the paper to which Senator Frye has referred, stating your own personal observations, your own knowledge in regard to the events which succeeded the prorogation of the Legislature, commencing with that date, so that we can get the benefit of your own personal knowledge and observation of what occurred there. You are not to take up public opinion or hearsay evidence, what other people say about it, but we want to get a knowledge of exactly what you saw.

Mr. ALEXANDER. Do you prefer it in writing?

The CHAIRMAN. I would prefer you to make it up deliberately, and the committee would not like to sit longer to-day.

Senator GRAY. I understand the time has not arrived at which the professor could give a clear judicial history of the matter after the point at which he had arrived in his statement. Is that so?

Mr. ALEXANDER. I could state what I saw and my means of knowing it, which is only a small part of it.

The CHAIRMAN. That is what we want. I do not care to have you write a judicial history upon the whole evidence.

Senator GRAY. We want your evidence as a witness so far as it goes. If you do not know, do not say.

Mr. ALEXANDER. I was not behind the scenes; I was not a member of the committee of safety.

Senator GRAY. But you were in Honolulu?

Mr. ALEXANDER. Yes. I saw a great deal of it.

Senator FRYE. You were at both meetings?

Mr. ALEXANDER. Not of the committee of safety.

Senator FRYE. But both the mass meetings?

Mr. ALEXANDER. Mass meetings; yes.

Senator FRYE. So that you can say what you saw and heard?

Mr. ALEXANDER. Yes.

Senator FRYE. You saw the troops, where they were located, and the difficulties they had of obtaining a location, and you know whether they were visible on the streets or not?

Senator GRAY. Mr. Alexander will be here after he makes his statement?

The CHAIRMAN. We propose to meet to-morrow, so that he can complete his statement. The points to which I wish particularly to direct your attention are the facts—within your knowledge, of course—which show whether or not, prior to this prorogation of the Legislature and this attempted proclamation of the abrogation of the constitution of 1887 and of different constitutions, there was any understanding or agreement, any conspiracy for the purpose of overthrowing the Queen, or for the purpose of annexing Hawaii to the United States—getting rid of the monarchy as an established form of government. These are the points to which I would like you to direct your attention.

Adjourned until to-morrow, the 4th inst., at 10 o'clock, a. m.

FOURTH DAY.

THURSDAY, *January 4, 1894.*

The committee met pursuant to adjournment.

Present: The Chairman (Senator MORGAN) and Senators BUTLER, GRAY, and FRYE.

Absent: Senator SHERMAN.

SWORN STATEMENT OF WILLIAM DE WITT ALEXANDER—Cont'd.

The CHAIRMAN. I have a paper here prepared by Prof. Alexander. Suppose I read it to the committee, and the professor can make any corrections he may desire. It is as follows:

"PERSONAL RECOLLECTIONS OF THE REVOLUTION OF 1893.

"In continuation of my former narrative of recent Hawaiian politics, I will begin with the morning of Saturday, the 14th of January, 1893.

"That morning the Legislature held a brief session (none of the white members being present), in which it was announced that the Queen had signed both the lottery and opium license bills."

I will ask you right there whether that was before or after the vote of want of confidence in the cabinet?

Mr. ALEXANDER. The second day after.

The CHAIRMAN. What do you call that cabinet?

Mr. ALEXANDER. The Wilcox cabinet. That was Thursday; I think this was Saturday; and it was after the formation of the succeeding cabinet.

The CHAIRMAN. The succeeding cabinet came in on Friday, and this was Saturday. What do you call the succeeding cabinet?

Mr. ALEXANDER. The Parker cabinet.

The CHAIRMAN. "The prorogation ceremonies at noon were generally boycotted by the white people, except a few tourists, and most of the diplomatic corps were absent. A few U. S. naval officers were present, the "U. S. S. Boston" having arrived that forenoon from Lahaina. I attended the ceremony as a Government officer, and because I regarded it as an interesting historical occasion."

What office were you holding?

Mr. ALEXANDER. Surveyor-general, and I was privy councillor.

The CHAIRMAN. "A native political society, the 'Hui Kalaiaina,' some forty in number, attended wearing black broadcloth suits and tall silk hats. I did not, however, suspect the object of their attendance."

What was the purpose of that political organization?

Mr. ALEXANDER. It had been arranged by the Queen that they should abrogate that constitution and go through the form of asking her to proclaim it.

The CHAIRMAN. What was the nature of that political organization? Was it secret or open?

Mr. ALEXANDER. I should say it was open.

Senator GRAY. Is that a matter of your own personal knowledge?

Senator FRYE. The professor said he was there.

Senator GRAY. No, he was not.

Mr. ALEXANDER. No; I was at the palace.

The CHAIRMAN. What is the name of that political society?

Mr. ALEXANDER. The "Hui Kalaiaina." That is the native name.

The CHAIRMAN. What does it mean?

Mr. ALEXANDER. "Hui," society, and "Kalaiaina," political.

The CHAIRMAN. "After the ceremony they followed the Queen to the palace, together with most of the native members of the Legislature."

What palaced do you speak of?

Mr. ALEXANDER. Iolani palace, right across the street.

The CHAIRMAN. "I was not an eyewitness of the memorable scenes which took place inside of the palace that afternoon. Meanwhile I went down town, and had gone into Mr. Waterhouse's store, when I was told of a rumor that the Queen was going to proclaim a new constitution that very afternoon. I expressed my disbelief of it, saying: 'She has carried the lottery and opium bills; she has turned out an honest, independent cabinet and put in her own creatures; she has prorogued the Legislature, and now has the game in her own hands for a year and a half. What more can she want?'

"A few minutes after I met my assistant, Mr. C. J. Lyons, who had just come from the Government building, and who informed me that the rumor was true; that the household troops were drawn up in line from the front steps of the palace to the west gate, in fighting trim, with their belts full of cartridges, and that a large crowd had gathered to hear the new constitution proclaimed. On my way up I noticed that citizens were gathering at Hon. W. O. Smith's office. On arriving at the Government building I was told that a conference was going on upstairs in the attorney-general's office between three members of the cabinet and some of the leading residents. I saw Minister Stevens and Major Wodehouse get into a carriage at the east entrance of the Government building and drive off together. I was told that they had advised the cabinet to stand firm in opposing the Queen's revolutionary project.

"I then went to my office and informed some of my friends by telephone about the critical state of affairs. On returning to the Government building I found a crowd of spectators watching the palace with intense anxiety. Civil war seemed to be impending.

"We saw Mr. J. Richardson and Sam Parker come over from the palace to confer with the other three members of the cabinet, who were said to be still in the attorney-general's office. It was said that they had left the palace from fear of their lives. Later on we saw the four ministers return to the palace, and the excitement among the spectators was increased. After another long interval, near 4 p. m., there was evidently a movement taking place in the palace, and the soldiers, part of whom had stacked their arms, hastily took up arms and re-formed their line. In a few minutes we saw the Hui Kalaiaina pour out of the palace and form in front of the steps. Then the Queen attended by some ladies in waiting, came out on the balcony and made a brief speech, the purport of which was repeated to us by a native, who came out of the palace yard. It gave us a sense of temporary relief. Bill White, the lottery champion, came out on the palace steps."

Senator GRAY. Do you state there what the native told you was the purport?

Mr. ALEXANDER. No. He told us that she had given way to the advice of her ministers not to proclaim the new constitution, but to go home and wait, and some one of these days she would carry out their wishes—that they could trust to her.

Senator GRAY. That is the purport as it appeared to you?

Mr. ALEXANDER. That is what was repeated to me.

The CHAIRMAN. That is what was repeated to you?

Mr. ALEXANDER. That is the substance; yes.

The CHAIRMAN. "And began an incendiary harangue to the assembled crowd, but was persuaded to desist by Col. James Boyd.

"We were told at the time that he had urged the crowd to lynch the ministers on the spot as traitors. The Hui Kalaiaina then marched out, carrying a Hawaiian flag, and appearing very much downcast.

"Soon after this Messrs. Parker and Cornwell came over to the Government building together, looking as if they had passed through a very severe ordeal. As they entered the building they were complimented by several persons for the stand which they had made. Mr. Thurston, who stood by, however, said: 'Must we continue to live in this way, with this peril hanging over our heads, uncertain whether we may not wake up any morning and find our liberties gone?'

"It was shortly after this that the meeting of citizens was held at W. O. Smith's office, which appointed the committee of safety, but I had no knowledge of it at the time. The next day, which was Sunday, passed off quietly on the surface, but we had intimations that a revolutionary movement was in progress.

"On Sunday afternoon posters were out calling for a mass meeting of citizens to be held at 2 p. m., the next day, at the Armory, on Beretania street. The next morning another call was issued by the ministry for a counter mass meeting on Palace Square, and between 10 and 11 a. m., a by authority notice was also posted about the streets and sent to the members of the diplomatic corps, which contained an apology for the Queen; alleging that she had acted on Saturday under stress of her native subjects, and a promise that "any changes desired in the fundamental law of the land will be sought only by methods provided in the constitution itself." This retraction came too late.

"It was considered by many as a humiliating evidence of panic on the part of the Queen's Government. Her conspiracies during her brother's reign, and her treacherous course in regard to the lottery bill had destroyed all confidence in her word, so that her promise produced but little change in the situation.

"As 2 o'clock drew near all business was suspended, stores were closed, and but one subject was talked of. I attended both mass meetings. The meeting at the Armory comprised probably not less than 1,500 persons, and the unanimity and enthusiasm shown surpassed all expectation. As a full account of the proceedings has been published I need not spend time on them.

"The so-called 'law and order' meeting on Palace Square I estimated at the time to number about 500 natives. It was a tame and dispirited meeting, the speakers being under strict orders to express themselves with great caution and moderation. A resolution was adopted accepting the assurance that the Queen would not again seek to change the constitution by revolutionary means, the very thing which no doubt most of them desired her to do. It seemed unnatural to hear R. W. Wilcox and Bill White exhort the natives to keep quiet, and not to provoke the 'haoles' to resort to violent measures.

"About 5 p. m. I happened to be near the post-office when the troops landed from the *Boston*, and saw them march up Fort street. A party of 30 or 40 marines went up to the U. S. legation, on Nuuanu street, and a guard was left at the U. S. consulate, while the main body marched up King street, past the Government building, and bivouacked in Mr. Atherton's grounds until late in the evening; quarters were

secured for them in the 'Arion House,' a low one-story wooden building west of the Music Hall, a large brick building which intervenes between it and the palace. In this connection I take the liberty of saying that I can not see how Arion Hall would be exposed to fire in the event of an attack upon the Government building from the direction of the palace.

"After the mass meeting the tension of feeling was extreme. What was chiefly feared was incendiarism during the following night. To my knowledge, warnings had been given by friendly natives that preparations were making to set houses on fire. As it was, two incendiary fires were started during that night. The knowledge that the troops were on shore undoubtedly gave the white residents a grateful feeling of relief and security.

"Here I will explain that an organization of four rifle companies had been brought to a high degree of efficiency in 1887 and had crushed the insurrection of 1889. This organization, which had been disbanded in 1890, was now revived, with some changes in personnel. It embraced many of the best class of young men in Honolulu.

"On Tuesday morning I was informed of this fact, and that Judge Dole would lead the movement. It was rumored that the crisis would take place at 4 p. m. The Queen's supporters were believed to be panic-stricken and divided among themselves.

"I happened to visit the main Government building (Aliiolani Hall) about a quarter to 3 p. m., when I found that the proclamation of the Provisional Government was being read at the front entrance.

"I have since been told that 3 o'clock was the time originally set. Perhaps the shooting affray on Fort street hastened the movement. I saw but one rifleman standing in the corridor. Several Government clerks and one native member of the legislature were also listening to the reading. As soon as it was over the new councils convened in the interior office, and proceeded to business. I walked over to my office in another building within the same inclosure, and passed Company A, a German company, under Capt. Ziegler, arriving on the double quick, in company order, to the number of 40 or 50. I told my assistants in the office what had happened, and directed them to close it for the day. On returning to the other building, I found that a large part of Company B, composed of Americans and Englishmen, had arrived. The grounds were then cleared of spectators, and guards set at the gates, and less than half an hour there were 100 riflemen drawn up in front of the building, awaiting orders. An hour later I estimated that there were about 200 present. The officers told me at the time that the United States marines had orders to remain neutral."

What officers did you speak of?

Mr. ALEXANDER. Officers of the volunteers. Capt. Potter, of Company B, said that word had been ascertained from Lieut. Swinburne—I think that was his name.

The CHAIRMAN. "I did not see any of them on the street, and my impression is that some of them without arms were in the veranda of Arion Hall."

Mr. ALEXANDER. Referring to the sailors.

The CHAIRMAN. "The men were expected to fight, and their spirit and confidence was such that I had no doubt of the result."

Mr. ALEXANDER. It should have been the volunteers. That should have been corrected.

"Many of them had been in the affair of 1889, and they also believed that nearly all the foreign community would back them.

"One C. J. McCarthy had been placed by Wilson in charge of the Government building, but waited there in vain for a force that never came. Several thousand cartridges were found in the foreign office, intended for the defense of the building.

"I can not speak from personal observation of the number of men collected in the station house and barracks, but was told by eye witnesses that there were about 80 men in each place.

"For several hours it looked to us as if a bloody contest, and perhaps a siege, would be necessary. Messengers were coming and going, but when I left the place to do patrol duty in the eastern suburb it was not known whether Mr. Wilson would surrender or not.

"As much importance has been attached to President Dole's letter to Minister Stevens, written in the afternoon of January 17, in which he suggested the cooperation of the United States marines with the citizen volunteers in maintaining order during the night, I will add that the event showed this request to have been wholly unnecessary.

"During the afternoon several hundred names of volunteers had been registered. These were organized in squads and during the following night the whole district including the city was strictly patrolled, as a precaution against fires or disturbance of any kind. These volunteers were on duty some time before the surrender of the station house by Wilson was reported. The palace was given up on the morning of the 18th, and the barracks that evening."

W. D. ALEXANDER.

"ADDENDUM.

"In regard to the Government building, Aliiolani Hall, I wish to say that it has always been considered the visible seat of Government. Together with the two smaller buildings attached to it, it contained all the offices of the departments of Government, the chambers of the supreme court and the court records, the land office and the registry of conveyances, the Government archives, and the treasury.

"The action of the late cabinet in abandoning it and seeking refuge in the station house went far to show that they had given up all hope of maintaining their authority.

"W. D. ALEXANDER."

Senator GRAY. Do you know what time that evening—can you fix precisely the time the barracks were given up?

Mr. ALEXANDER. I heard that it was after dark.

Senator GRAY. You do not know the hour?

Mr. ALEXANDER. No. That would be in Mr. Soper's testimony.

Senator GRAY. You were not present at any meetings of the committee of safety on the evening of the 17th?

Mr. ALEXANDER. I was not.

Senator GRAY. Or of the advisory councils?

Mr. ALEXANDER. I suppose, being an officer of the old Government, they did not take me into their confidence.

The CHAIRMAN. When you speak of yourself as being one of the privy council, what were your functions in that office?

Senator GRAY. Were you *ex officio* a privy councillor, being surveyor-general?

Mr. ALEXANDER. No.

Senator GRAY. Not necessarily privy councillor because of your being surveyor-general?

Mr. ALEXANDER. No. I was appointed in the previous reign, Kalakaua's reign. Their principal functions were to act as the board of pardons.

Senator GRAY. You were a member of the board of pardons?

Mr. ALEXANDER. Yes; most of the other powers had been taken away from them.

The CHAIRMAN. But as a privy councillor you were a member of the Queen's Government?

Mr. ALEXANDER. Yes, and as surveyor-general.

The CHAIRMAN. You have had an acquaintance with Hawaiian affairs and with the people. I suppose your acquaintance with Honolulu is very complete; know a great many people?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Your membership in the school board would bring you in contact with the people, I suppose?

Mr. ALEXANDER. Yes, and other ways.

The CHAIRMAN. Being surveyor-general and also a member of the board of pardons——

Mr. ALEXANDER. I was always out of politics.

The CHAIRMAN. You were never a member of the Legislature?

Mr. ALEXANDER. No.

The CHAIRMAN. Never held any political office?

Mr. ALEXANDER. I did not; I rather devoted myself to science; I am also some what of an antiquarian.

The CHAIRMAN. Did you hear of or are you aware of any combination amongst any of the people of Honolulu or of the Hawaiian country prior to the announcement of this new constitution by the Queen to break down the monarchy, or overthrow the constitution, or revolutionize the Government?

Mr. ALEXANDER. I did not. I do not think there was any existing.

The CHAIRMAN. Do you think it is possible that such a movement as that could have occurred amongst what is called the missionary element in Hawaii without your having some knowledge of it?

Mr. ALEXANDER. I should think not. I think their idea was that they had great confidence in the cabinet appointed at the beginning of November, and expected the Government to go on very smoothly until 1894.

The CHAIRMAN. And if any new movement was to take place in Hawaii at all it would be developed between that period and 1894. I suppose that is your meaning?

Mr. ALEXANDER. Yes; we did not know what kind of Legislature might be elected in 1894.

Senator GRAY. Was there any sentiment at all of a demonstrative character in favor of annexation prior to this emeute?

Mr. ALEXANDER. That subject had been discussed for a good many years. It was considered ultimate destiny in the future.

Senator GRAY. Was there any demonstrative action?

Mr. ALEXANDER. No, except that conspiracy, that organization of Ashford, Wilcox, Bush, and others. That took place in the spring of 1892. But that was discountenanced by the conservative people; the best people had no confidence in it.

The CHAIRMAN. Was that a movement for annexation?

Mr. ALEXANDER. It was rather for a republic. The leaders were not respected. They used very gross language about the Queen.

Senator GRAY. Was there any native propaganda of annexation sentiment prior to the events you have recited?

Mr. ALEXANDER. I should say not any native propaganda. The Advertiser, a paper published and edited there by a radical man, was challenged by the organ of the other side to define its position on the question. The editor of the Advertiser said that annexation would be better for the country; that whenever the native people wished it, were ready for it, he would favor it.

Senator GRAY. He was what you call a radical annexationist?

Mr. ALEXANDER. That is, more outspoken. Dr. McGrew and others were always in favor of it.

Senator GRAY. But the general sentiment there prior to those events was one of content and quiet so far as the Government under the cabinet was concerned?

Mr. ALEXANDER. The general sentiment was that so long as we could have a stable government, one that could paddle its own canoe, they were satisfied. They thought their own interests would be better managed by their own people, and the planters were influenced by a desire for cheap labor, whilst others did not like the McKinley tariff, did not want to come under it. They did not want to undergo again what they had undergone under Kalakaua.

Senator GRAY. The state of feeling was quiescent?

Mr. ALEXANDER. Yes.

Senator GRAY. And the disposition was manifestly one to be content with the then state of things?

Mr. ALEXANDER. Yes.

The CHAIRMAN. In regard to this change in the form of government there, the revolution was, according to your opinion, belief, and judgment caused more by the passage of the opium and the lottery bills, or by the action of the Queen in attempting to change the constitution?

Mr. ALEXANDER. More by the latter.

The CHAIRMAN. Do you think the people of Hawaii would have set on foot a revolution in order to get rid of the lottery bill or opium bill, or both, if the Queen had not attempted to promulgate the new constitution?

Mr. ALEXANDER. I think not. They would have tried to remedy it in some constitutional way, within the constitution.

Senator BUTLER. You speak of the Queen having expressed her intention of withdrawing her purpose to promulgate the new constitution. Did you not say that in your written statement?

Mr. ALEXANDER. Yes; she announced that on Monday morning.

Senator GRAY. You heard that on Saturday afternoon?

Mr. ALEXANDER. Her language then was only for a short time, only temporarily.

Senator BUTLER. Is it your opinion that that announcement by the Queen would have restored order to this interference of which you speak?

Mr. ALEXANDER. It came rather too late, and there was very little confidence in the Queen's word, or in the cabinet.

The CHAIRMAN. The people distrusted the Queen and the cabinet?

Mr. ALEXANDER. They considered it an extremely weak cabinet.

Senator BUTLER. You think, then, it was too late to check the movement that had been set on foot?

Mr. ALEXANDER. Yes.

Senator BUTLER. Against her and against her cabinet?

Mr. ALEXANDER. Yes.

Senator BUTLER. You think the withdrawal of her purpose or re-

traction of her purpose, withdrawal of the new constitution, was too late to check this?

Mr. ALEXANDER. I was at the first mass meeting and heard the first two speeches, and then went to the other. I think it was Mr. Young who spoke to the meeting. He said, "Can we trust her?" and the cry was "No," all over the hall. It was the large skating rink where the meeting was held.

Senator GRAY. Are the proceedings and speeches of that meeting published in the papers?

Mr. ALEXANDER. Yes; you have it in a pamphlet.

Senator GRAY. In some document we have in print here there are extracts, what purport to be extracts from a paper in Honolulu, giving the proceedings of that meeting. Have you seen them?

Mr. ALEXANDER. I have seen them; I presume they are correct.

Senator BUTLER. Is it your opinion that the lives and property of American citizens would have been put in jeopardy in the then state of feeling in Honolulu but for the United States marines?

Mr. ALEXANDER. I think there were reasons to apprehend that at the time.

Senator BUTLER. You say there were reasons to apprehend it?

Mr. ALEXANDER. At the time, yes. Looking back on it now, I think probably the white people would have been strong enough to have protected themselves. But there was sufficient reason at the time.

The CHAIRMAN. Was the apprehension based upon the fact that mobs in favor of the Crown might rise in hostile opposition to the opposing element, or was it based upon the apprehension that the transitory condition of the Government would let the evil characters loose upon the community—characters disposed to burn and mob?

Mr. ALEXANDER. Rather the latter. The city was paralyzed. There was an interregnum in the law, in the authority on the part of the existing Government, and the new Government had not become organized, and there were warnings about incendiarism. I do not exactly like to use names.

The CHAIRMAN. Do you mean of individuals?

Mr. ALEXANDER. Yes. A white lady has told me that a half-white lady came to her and told her that natives were putting kerosene in bottles, and getting cloth, and explained how they would use it to set houses on fire by wrapping it around the posts, etc.

Senator GRAY. Did not the danger or apprehension of danger of which you speak originate in the fact that the revolutionary project had already been set on foot by this white element which afterward established a Provisional Government? I do not mean that they were dangerous characters, for I understand you perfectly that they were the better class; but that their activity and proclaimed intentions brought about the condition of things which made the danger.

Mr. ALEXANDER. I suppose if the community had quietly submitted on Saturday the danger would not have existed.

Senator GRAY. Exactly. That made the danger, and that making the danger you think was the reason for the presence of the United States troops?

The CHAIRMAN. When the resistance became a fact, then, I understand you to say, the apprehensions of danger were not from mobs rising amongst the opposing political elements of the native people or others, but from the paralysis of authority there, which encouraged the licentious classes, the criminal classes, to exploit their operations against private property and against human life?

Mr. ALEXANDER. Well, the race hatred. Yes, I take it that way. Race hatred might have led to the commission of isolated outrages. I did not expect any organized violence from the natives. Judge Hartwell expressed fear, and gentlemen like him might have told Minister Stevens. I never had the fear of natives that others did; I thought I knew them better.

The CHAIRMAN. Let me ask you of the general characteristics of the people of Hawaii. Are they given to forming mobs?

Mr. ALEXANDER. Not generally. I have seen one great mob, in 1874.

The CHAIRMAN. Was that a political occasion?

Mr. ALEXANDER. Yes; when Kalakaua was elected they mobbed the court house, where the legislature was assembled, broke in and clubbed the legislature and commenced to sack the building. The ministry had warning of danger taking place, but they made light of the danger, and when the crisis came the native police were of no use.

The CHAIRMAN. Was that mob led by white people?

Mr. ALEXANDER. No; by the natives.

The CHAIRMAN. It was a mob composed of Queen Emma's adherents?

Mr. ALEXANDER. Yes. They were careful not to attack the white people, except in one case, because there were two American and one English warship in the harbor. They considered that it was amongst themselves. Capt. Belknap had been informed about the danger, and so was the American minister, and they were ready. After a good deal of vacillation the ministry sent the American minister a note. Marines from the two American men-of war joined by a body of marines from the English man-of-war, perhaps 200 or more, marched up and quelled the mob very quickly. They held the city for a week.

The CHAIRMAN. Did these soldiers have any conflicts with the population?

Mr. ALEXANDER. They made many arrests.

The CHAIRMAN. There was no violence used by the troops?

Mr. ALEXANDER. No. The rioters were struck with fear; they ran out of the court-house like rats out of a burning building.

The CHAIRMAN. That riot was between the adherents of Queen Emma and those of Kalakaua?

Mr. ALEXANDER. Yes.

The CHAIRMAN. And one in which the white people had no preference?

Mr. ALEXANDER. It was considered that they would prefer Kalakaua.

The CHAIRMAN. The Legislature was in session, you say?

Mr. ALEXANDER. The Legislature had just elected Kalakaua.

The CHAIRMAN. And was still in session?

Mr. ALEXANDER. Yes.

The CHAIRMAN. And they were attacked by this mob of natives?

Mr. ALEXANDER. Yes.

The CHAIRMAN. And the mob was repressed after some killings had taken place, I suppose?

Mr. ALEXANDER. Nobody was killed; they were pretty severely clubbed over the head, and one died afterward.

The CHAIRMAN. And that was suppressed soon afterward by marines from two American ships and one British ship?

Mr. ALEXANDER Yes.

The CHAIRMAN. And the troops held possession of the city for a week?

Mr. ALEXANDER. Yes.

The CHAIRMAN. And then went back to their vessels?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Did the marines bring any flags with them?

Mr. ALEXANDER. I do not remember. I gave an account of that in a paper I furnished Mr. Blount.

Senator BUTLER. You have been a long while in Honolulu. What is your opinion of the sentiment of the people, taking them as a whole, in regard to the form of government they would prefer, whether a monarchy or a republic?

Mr. ALEXANDER. In Honolulu itself, I suppose a majority of the natives, at the present time, would prefer a monarchy.

Senator BUTLER. A majority of the natives would prefer a monarchy?

Mr. ALEXANDER. Yes.

The CHAIRMAN. By natives you mean Kanakas?

Mr. ALEXANDER. Yes.

Senator BUTLER. What about the whole population?

Mr. ALEXANDER. There is always a large number of natives very indifferent, always a large number wanting to be on the winning side, whatever it may be—awaiting events. I think there is less of race feeling on the other islands than in Honolulu. That has always been the headquarters of the Palace party, and for some reason or other the race antagonisms are stronger in Honolulu than anywhere else. On the island of Kauai, for instance, the feeling might be the other way.

Senator BUTLER. Outside of the native population, you do not think the sentiment is or was?

Senator GRAY. Was prior to this affair.

Mr. ALEXANDER. I think that probably seven-eighths of the Americans are on the side of the Provisional Government; nearly all the Germans; all the Portuguese, without exception. In regard to the English, they are divided. I think a majority of the English would probably favor a monarchy from jealousy of the Americans.

Senator BUTLER. A majority of the Americans, I understood you to say, would favor the Provisional Government or more liberal government?

Mr. ALEXANDER. Seven-eighths of them.

Senator FRYE. Professor Alexander did not say a majority.

Senator BUTLER. What did he say?

Mr. ALEXANDER. Seven-eighths.

Senator BUTLER. Seven-eighths of the American population are in favor of the Provisional Government?

Mr. ALEXANDER. That is my impression.

Senator GRAY. How many votes were in that island under the constitution that existed prior to this emeute?

Mr. ALEXANDER. According to the census and the registration of 1890, under the constitution of 1887, there were about 13,000.

The CHAIRMAN. Are you speaking of the island of Kauai?

Mr. ALEXANDER. No, the whole islands.

Senator GRAY. How would the vote have been, in your opinion, in regard to this Provisional Government, prior to this emeute?

Mr. ALEXANDER. I think it has varied from time to time.

Senator GRAY. How do you think it would have been. Do you think a majority of those voters would have been in favor of the Provisional Government?

Mr. ALEXANDER. At the time it was formed?

Senator GRAY. Yes.

Mr. ALEXANDER. Probably not. Later it gained in strength. Along

about August or September the annexation club had 6,200 names on its rolls including about 1,200 natives. Probably at the present time there is a reaction the other way, among the natives, at least.

Senator GRAY. Against the Provisional Government. But you think at the time the Provisional Government was formed the people who had the right to vote were in favor of it?

Mr. ALEXANDER. Yes, if you counted noses. There was a number registered. I noticed in the election of 1890 the number of votes cast was actually 11,672; in the election of 1892 it was 10,000 or 11,000 actual votes.

The CHAIRMAN. What proportion of the enlightened property-holding element in Hawaii, taking the whole of them together, do you believe was in favor of this Provisional Government at the time of its establishment?

Mr. ALEXANDER. Well, I think about seven-eighths. I judge that from a list that was published in the papers of the tax-payers, who pay taxes on property above a certain valuation, which list gave their names. It was footed up. I remember the footing gave about that result. I think it is safe to say three-fourths.

The CHAIRMAN. You are the author of this little history of the Hawaiian people. It is by W. D. Alexander, and is a brief history. Have you carefully examined the facts upon which you have made the historical statements contained in this book?

Mr. ALEXANDER. I have. I spared no means to verify every statement.

The CHAIRMAN. And you are satisfied that these historical statements are correct?

Mr. ALEXANDER. Yes. In regard to your asking about the property-holding class?

The CHAIRMAN. Well?

Mr. ALEXANDER. I would like to add one word, that the most intelligent natives, those of the best character, independence of character, were on the side of the Provisional Government when I left the islands. I think two-thirds of the native preachers and those members of the Legislature who had independence enough to vote against the lottery bill, and many of those whom I consider the best natives, are on that side. It required a good deal of moral courage on their part, because they were called names, traitors, by their fellow-countrymen, and were threatened in case the Queen came back that it would go hard with them (and it was confidently believed that the Queen would be restored); that element of the natives has been ignored by some writers on the subject.

The CHAIRMAN. Were you in Honolulu at the time that Mr. Blount gave the order to the commander of the *Boston* to order the American flag hauled down and brought back to the ship by the marines?

Mr. ALEXANDER. Yes; I was a spectator.

The CHAIRMAN. Was there any commotion amongst the people on account of that order?

Mr. ALEXANDER. There was not. There was a large crowd of spectators—the feeling was intense, but it was suppressed.

Senator GRAY. What sort of feeling?

Mr. ALEXANDER. Well, it depended upon the party to which they belonged.

Senator GRAY. There were two feelings, then?

Mr. ALEXANDER. Yes; very intense, or both sides, but suppressed. It was a very impressive scene.

Senator GRAY. The feelings of the friends of the Provisional Government against the Queen were very intense?

Mr. ALEXANDER. Yes. On my part I thought it was a mistake to have declared a protectorate; I thought it was unnecessary.

Senator GRAY. You thought it a mistake to raise the flag?

Mr. ALEXANDER. Yes; it tended to put the Provisional Government in a false light. The events following showed it was unnecessary. But, being there, one could not see the flag hauled down without deep emotion.

Senator BUTLER. Then you think it was unnecessary to have hoisted the American flag?

Mr. ALEXANDER. It was.

Senator BUTLER. In other words, the Provisional Government could have sustained itself without it?

Mr. ALEXANDER. Yes.

The CHAIRMAN. After that time, was there any outbreak on the part of the populace against the Provisional Government.

Mr. ALEXANDER. No; there was not.

The CHAIRMAN. No disturbance of the peace?

Mr. ALEXANDER. It was supposed that there was a class, principally composed of white men, which was only deterred by the display of force.

The CHAIRMAN. At the time of the hauling down of that flag, what was the strength of the military that was supporting the Provisional Government?

Mr. ALEXANDER. About 200.

The CHAIRMAN. Armed men?

Mr. ALEXANDER. Yes; and behind them a very large number of citizen reserves.

The CHAIRMAN. You say a very large number. What number do you think?

Mr. ALEXANDER. It had not been organized until about the time I left.

Senator GRAY. When did you leave?

Mr. ALEXANDER. In August. I presume that on short notice 400 men could have been collected then.

The CHAIRMAN. In addition to the 200 already under arms?

Mr. ALEXANDER. Yes. Later they formed an organization of the citizen guards. About the 1st of October they numbered 800 men. I presume it is larger now.

The CHAIRMAN. The Provisional Government was supplied with guns and ammunition for an army of as many as a thousand men?

Mr. ALEXANDER. I do not think they were as thoroughly armed as that when the revolution broke out.

The CHAIRMAN. No, at the time this flag was hauled down.

Mr. ALEXANDER. I do not know. I doubt whether they could have armed a thousand men.

The CHAIRMAN. At the time you left Hawaii, in August, could they have armed a thousand men?

Mr. ALEXANDER. I think they could. They had imported arms. Arms were on the way when the flag was hauled down.

The CHAIRMAN. The Government was importing arms and ammunition?

Mr. ALEXANDER. Yes; I remember I heard the remark.

The CHAIRMAN. Was the Provisional Government put into posses-

sion of all the arms that had theretofore belonged to the Royal Government?

Mr. ALEXANDER. That was doubted. I went to the barracks the next day after the surrender and they showed me the arms. There were 90 Springfield rifles, 75 Winchesters, 4 field pieces, and 10,000 rounds of ammunition. It was rumored that some arms were kept back. I do not know whether it was true.

Senator BUTLER. Were there any other ammunition or arms of that Government in the hands of the Provisional Government? I mean, were the men supplied with arms and ammunition?

Mr. ALEXANDER. Not that I know of.

The CHAIRMAN. Were there any armed forces except in Honolulu and Oahu?

Mr. ALEXANDER. Not now.

The CHAIRMAN. The whole force of the Kingdom was concentrated at Honolulu?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Were there any fighting ships, called ships of war, belonging to that Government?

Mr. ALEXANDER. None.

The CHAIRMAN. Had the Government any ships at all?

Mr. ALEXANDER. No, except steam tugs. These steam tugs towed vessels in and they belonged to the Government.

The CHAIRMAN. At Honolulu?

Mr. ALEXANDER. Yes.

The CHAIRMAN. And other ports there also?

Mr. ALEXANDER. No.

The CHAIRMAN. They had no revenue-marine service?

Mr. ALEXANDER. No. To prevent the opium smuggling they needed a revenue marine.

Senator BUTLER. Is it your opinion that this Provisional Government could have been established without the interference of United States officials?

Mr. ALEXANDER. Yes, I think so. But I think it is probable that it would not have been done without bloodshed.

Senator BUTLER. But it could have been established and maintained itself without any interference on the part of the United States officials?

Mr. ALEXANDER. I think so.

Senator BUTLER. Now, there is only one point—I am speaking for myself only—on which I care to have information, and if you can give any I would be very glad to have you do so, and that is, to what extent the represenatives of the United States Goverment interfered in the affairs of Honolulu. Have you any information which you can give on that subject.

Mr. ALEXANDER. You mean with this last revolution?

Senator BUTLER. Yes.

Mr. ALEXANDER. They have interfered before on several occasions.

Senator BUTLER. The United States troops did?

Mr. ALEXANDER. You refer to the last one?

Senator BUTLER. I refer to the last one. To what extent did the United States Government, through the diplomatic, civil, or naval officials, interfere in the affairs of Hawaii?

Mr. ALEXANDER. I suppose the landing of the troops on Monday night, which was done without asking permission of the ministers, might have been considered an interference.

Senator BUTLER. When?

Mr. ALEXANDER. Monday afternoon, at 5—without asking permission of the ministers, the cabinet.

Senator BUTLER. The ministers of the Hawaiian Government?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Without the permission of the Queen's Government?

Mr. ALEXANDER. Yes. That is the principal point. As to the right or wrong of it, it is not for me to say.

Senator FRYE. The Senator asked you if the United States officials did anything.

Mr. ALEXANDER. Simply landed. They did nothing.

Senator FRYE. You were asked if they did anything to aid the Provisional Government or the Queen, or anything else.

Mr. ALEXANDER. Their presence on shore, had a moral effect on the natives. They did not know what was going to happen.

Senator BUTLER. I think I understood you to say that, in your opinion, the landing of those marines was not necessary for the protection of the lives of American citizens?

Mr. ALEXANDER. I would not be positive about that. I think there was reason enough for apprehension to justify their landing. If those things had happened which justified their landing and they had not landed the United States authorities would have been to blame. There is some difference of opinion about it.

The CHAIRMAN. Would you undertake to say that it was the opinion among the better class of citizens in Honolulu that there was sufficient occasion to require the intervention of these troops?

Mr. ALEXANDER. I have heard that opinion generally expressed.

The CHAIRMAN. Would you say whether or not that was the general opinion there at that time, at the time of the landing of the troops and before?

Mr. ALEXANDER. I am inclined to think so.

Senator GRAY. Among that class of the people described by the chairman?

Mr. ALEXANDER. Yes, they felt the insecurity.

Senator GRAY. You say the opinion of that element was in favor of the establishment of the Provisional Government?

Mr. ALEXANDER. Yes.

The CHAIRMAN. You spoke about the interference of the officers of the Government of the United States on previous occasions. State to to what occasions you refer.

Mr. ALEXANDER. I had in mind the landing to quell the court-house riot in 1874, and I had in mind the landing of the marines in 1889, in which they did not take part, however, but at which time the Wilcox insurrection was suppressed.

The CHAIRMAN. Those were two occasions. Were there any more?

Mr. ALEXANDER. Those were the only ones prior to this.

The CHAIRMAN. Were they the only ones where the Government of the United States landed troops for the purpose of protecting the lives of people or for the purpose of protecting the public peace?

Mr. ALEXANDER. I think so.

The CHAIRMAN. Was there more or less apparent interference on the part of these troops which were landed on the two occasions you have mentioned than there was on this last occasion?

Mr. ALEXANDER. There was more; because in 1874 they proceeded to arrest the ring leaders of the mob, and they stood guard over the public buildings for a week.

The CHAIRMAN. That was the mob raised to dethrone Kalakaua?
Mr. ALEXANDER. Yes.
The CHAIRMAN. And enthrone Queen Emma?
Mr. ALEXANDER. Yes.
The CHAIRMAN. Well, the other occasion?
Mr. ALEXANDER. In 1889 they went further than they did at this time, because they loaned 10,000 rounds of ammunition to the Government troops, the white troops that were putting down this insurrection.
The CHAIRMAN. Kalakaua's troops?
Mr. ALEXANDER. Nominally, yes; really, the same men who were upholding the Provisional Government. But at that time they were the legal government.
The CHAIRMAN. They were upholding it both as against Kalakaua and Liliuokalani?
Mr. ALEXANDER. That is what is believed—that they connived at Wilcox.
The CHAIRMAN. That is, Kalakaua and Liliuokalani?
Mr. ALEXANDER. Yes.
The CHAIRMAN. That is, that they were conniving at the movement against the Wilcox cabinet?
Mr. ALEXANDER. It was in Wilcox's report. I know there was a difference between his case and the other; I know the other two had a form of commission from the other Government.
The CHAIRMAN. What other men-of-war were in the harbor of Honolulu when these troops landed in January, 1893?
Mr. ALEXANDER. No other men-of-war except the American man-of-war.
The CHAIRMAN. No British?
Mr. ALEXANDER. No other nation.
The CHAIRMAN. So that there was no chance to appeal to any outside power?
Mr. ALEXANDER. No other nation represented.
The CHAIRMAN. Do you know anything about the fact of the recognition of the Provisional Government by the ministers of the other powers then located in Honolulu?
Mr. ALEXANDER. I know by hearsay and what I saw in the papers; that is, that Minister Stevens recognised it the afternoon of the 17th, and the others, the German consul and the Portuguese minister, recognised it the next morning, and Mr. Wodehouse verbally recognized it.
Senator GRAY. Who is Mr. Wodehouse?
Mr. ALEXANDER. The British consul-general. He verbally told them he recognized it, but he did not send in his official recognition until Thursday afternoon.

NOTES ON COL. BLOUNT'S REPORT.

Prof. W. D. Alexander had several informal conversations with Col. J. H. Blount in Honolulu, which were not taken down by his stenographer.

At Col. Blount's request, Prof. Alexander prepared written papers on the history of the uncompleted annexation treaty of 1854, on the general causes which led to the late revolution, on the political history of Kalakaua's reign until 1888, and on the constitutional history of the country since the beginning of this century.

All of these were printed except the last. He also furnished him pamphlets on the land system, the census, etc.

Col. Blount's sketch of the causes of the late revolution on pp. 3–15 of his report betrays a total misconception of Hawaiian history and of the nature of the political contest that has been going on during the last fifteen years or more.

E. g., on p. 5 he charges to the reciprocity treaty "a new *labor system*," which preceded it by twenty years, and the "*alienation* between the native and white races," which had shown itself long before, and the causes of which I have briefly explained in my second paper, and the "many *so-called revolutions*," which really had no relation to that treaty. On p. 6 is an extraordinary statement about the *division of the lands* in 1848, which for the first time in history is called "*discreditable*." He says the Kanaka at that time "generally read and wrote English," which few adults can do now.

His remarks about the descendants of missionaries seem to be borrowed from C. T. Gulick and Nordhoff. The sneering use of the term dates from the days of the "beach-combers" and Botany Bay convicts, who preceded the missionaries in those islands. The descendants of the latter are hated chiefly for their adherence to the principles of their fathers and their endeavors to preserve the constitutional lines on which the Government was administered under the Kamehameha dynasty.

Col. Blount's total misapprehension of history is shown by his astonishing statement on page 7, that the ex-Mormon adventurer Gibson was "free from all suspicion of bribery."

On page 8 he speaks of several criminal acts, proved in open court, as "alleged," and says that the "alleged corrupt action of the King Kalakaua could have been avoided by more careful legislation," when the whole difficulty lay in the autocratic power of the King, which enabled him to appoint the upper house and to pack the lower house of the Legislature. He ignores the fact that it was impossible for a white man to be naturalized unless he was a tool of the King. He passes very lightly over the outrages which caused the uprising of all white men and of the more decent natives in 1887.

On page 10 he omits the vital change made in section 20, which struck at the root of the King's power to pack or bribe the Legislature.

It also should be borne in mind that naturalization in the Hawaiian Kingdom never had included abjuration of one's former citizenship.

Col. Blount is grossly misinformed in regard to the character of the election held after that revolution, 1887. It was the first fair and free election by really secret ballot held for many years. No intimidation whatever. The law was improved afterwards, on the Australian system, by the reform party. The appointment of the upper house was taken from an irresponsible semi-savage monarch and vested in citizens possessing a moderate property qualification. Otherwise all the great financial interests of the country would have been at the mercy of an ignorant populace.

Throughout this sketch he ignores the real distinction between the two principal parties, which for fifteen years have divided the country, the one in favor of reaction in politics, religion, and morals, in favor of free liquor, hulalula dances, sorcery, gambling, gin, opium, and lotteries, and personal government; the other in favor of clean, honest, responsible, and economical government. The former may command a majority of votes in the seaport of Honolulu, but the latter is supported by the property-owners, the leaders of industrial enterprises, and by those who support and carry on all the educational, charitable, and religious work in the country.

Statesmen will take such facts into account, as well as the anti-American animus of the reactionary royalist party.

PORTUGUESE.

Col. Blount shows a singular hostility to the Portuguese, who form one of the most valuable elements in the islands, the most moral as shown by the reports of the attorney-general and chief justice, and perhaps the most industrious people in the country, and the most easily Americanized. He even goes so far as to say that they ought not to be classed as Europeans.

A colony of these people exists in Jacksonville and Springfield, Ill., where they bear a good character. Their crime, in his eyes, may be their unanimous support of the Provisional Government and their admiration of American institutions.

KANAKA LANDS.

On the other hand, his account of the native race is surprisingly incorrect and superficial, although ample statistics relating to lands, property, occupations, accounts of native character, etc., were before him. He says the "majority (of the common people) received nothing" in the way of land. The fact was that all heads of families received homesteads, if they applied for them, and the census shows that 10 per cent of the natives, counting women and children, are even now landowners. Between 1850 and 1860 a large proportion, 40 per cent, of the Government land was sold, mainly to natives, at nominal prices, and every effort was made to encourage habits of thrift among them. Many are now living on the rents of their lands. The chiefs died out, leaving no heirs in many cases, and their lands were largely purchased by foreigners.

ON THE KANAKAS.

Of the utter incapacity of the Kanaka for business, his improvidence, instability, fickleness, duplicity, and indolence, Col. Blount must have been informed. Accustomed from time immemorial to absolute despotism, they (the Kanakas) ought not to have been expected to become fit for self-government in one generation. Besides, they have been too much petted and pauperized by the Government and their white friends, to develop habits of self-reliance.

E. g., about one-tenth of the native girls are in boarding schools, three-fourths of whom are supported by benevolent white people, with rather unsatisfactory results.

The revival of heathen superstitions under the late dynasty for a political object, is ignored by the commissioner. It is too true that their capacity and progress have been grossly overrated from various motives. They need to be cared for like children. If intrusted with supreme power, they would soon involve themselves and their white benefactors in a common ruin, as was shown in Kalakaua's reign. If it was left to them, they might abolish segregation of lepers, and vote for the lottery and fiat paper money. Of course there are honorable exceptions. In regard to the decrease of the native population Col. Blount's conclusions differ from those of all those who have made a study of the subject on the islands. The reports of births and deaths during the present year, unfortunately, show a constant decrease. It is gen-

erally estimated at 2 per cent per annum. In order to save them, President Dole and his colleagues have elaborated a plan for giving the Kanakas homesteads out of the Crown lands, not transferable, on condition of occupation.

CONSPIRACY OF 1892, THE "LIBERALS."

To return to Col. Blount's report, p. 14, his statement of the three parties in the late Legislature is very wide of the mark. Col. V. V. Ashford's statement might have helped him to understand it, if he had been willing to use it. I have written a brief sketch of Hawaiian politics from 1887 to 1893, but have lent or given away all my copies of it. Col. Ashford's account, which is in the main correct (although colored by personal animosity and disappointed ambition), describes the conspiracies of 1888 and 1889, in which Liliuokalani was an accomplice. Her own testimony shows how reluctantly she took the oath to the constitution, and how little conception she had of constitutional government.

The revolutionary movement of 1892 (in regard to which Mr. Stevens wrote his letter of March 8, 1892, p. 178, Sen. Doc. 77) was not countenanced by the better class of people, who considered it uncalled for, and had no faith in the unprincipled adventurers at the head of it, most of whom are now royalists. Their dream was a Kanaka democracy, in which they would hold the offices. The Queen's faction, who had a *coup d'état* under consideration, tried to form an alliance with them, which was rejected. C. B. Wilson then arrested a large number of them and broke up the conspiracy.

The Queen had made it a condition in appointing her ministry in 1891, that her favorite, Wilson, the Tahitian half white, should be marshal of the Kingdom.

LEGISLATURE OF 1892.

He (Wilson) associated on intimate terms with Capt. Whaley, part owner of the schooner *Halcyon* and *king of the opium smugglers*, and with other like characters, and collected around the police headquarters a gang of disreputable individuals, while opium joints and gambling-houses flourished with his connivance, as was believed. At the same time it was well understood that his influence in the administration was greater than that of any cabinet minister.

The so-called liberals in the Legislature of 1892 joined hands with the reformers (who lacked a few votes of a majority), in order to break the power of the palace party and opium ring, and to remove their enemy, Wilson. Three cabinets were voted out as representing this latter element, and as being in complicity with the lottery.

The British commissioner took an active interest in the struggle and encouraged the Queen to resist.

After a four months' contest she yielded temporarily, and appointed a cabinet of conservative reformers, highly respected and trusted by the community.

This cabinet declared itself against the lottery bill and a fiat paper money bill, which was killed, but did not choose to act on Wilson's case till after the adjournment of the legislature. This weakness on their part and the fact that the liberals were not represented in this cabinet so exasperated the latter that they united with their enemies, the palace party, and voted for measures which they had denounced."

The CHAIRMAN. You have prepard a statement in respect of the different constitutions of Hawaii, which statement you have in manuscript?

Mr. ALEXANDER. I have.

The CHAIRMAN. And it is correct?

Mr. ALEXANDER. Yes.

Senator FRYE. I see Mr. Blount says: "A part of the Queen's forces, numbering 224, were located at the station house, about one-third of a mile from the Government building. The Queen, with a body of 50 troops, was located at the palace, north of the Government building about 400 yards. A little northeast of the palace and 200 yards from it, at the barracks, was another body of 272 troops. These forces had 14 pieces of artillery, 386 rifles, and 16 revolvers."

Are those facts?

Mr. ALEXANDER. I could not state from personal knowledge. I think the other gentlemen who will be here can state.

Senator FRYE. You stated that, so far as you had any information, there were 80 soldiers, known as the Queen's Guard, and 60 policemen.

Mr. ALEXANDER. A gentleman will come before you as a witness by and by who was at the station house. My opinion about it would have no weight.

Senator GRAY. On page 5 there is a paragraph in Mr. Blount's report which is marked "Not so."

Mr. ALEXANDER. Those are not my marks.

Senator GRAY. As your statement was read, my attention having been directed to the marks, I noticed this paragraph, it being the first one. The paragraph is this:

"From it" [that is the reciprocity treaty] "there came to the islands an intoxicating increase of wealth, a new labor system, an Asiatic population, an alienation between the native and white races, an impoverishment of the former, an enrichment of the latter, and the many so-called revolutions, which are the foundation for the opinion that stable government can not be maintained."

That is the paragraph to which you took exception?

Mr. ALEXANDER. It is erroneous in several points.

Senator GRAY. Did there come to the islands after the reciprocity treaty "an intoxicating increase of wealth?"

Mr. ALEXANDER. That is one point that is true.

Senator GRAY. And was not that the source of a great many evils that followed?

Mr. ALEXANDER. I think it was source of some evils.

Senator GRAY. The source of a great many evils?

Mr. ALEXANDER. It led to extravagance on the part of the white people and turned the heads of the natives.

Senator GRAY. That increase of wealth which came after the reciprocity treaty was not very evenly or equally distributed over the islands among the population?

Mr. ALEXANDER. Not equally; but it raised wages and increased the rent rolls. The natives as well as the white men profited by it.

Senator GRAY. Then you think that paragraph is true?

Mr. ALEXANDER. Yes; I did not except particularly to that. In my history I refer to that.

Senator GRAY. Then, with regard to the "new labor system and Asiatic population?"

Mr. ALEXANDER. In regard to the labor system, it dates back to the sixties.

Senator GRAY. I find in your history the closing paragraph, page 311, you say: "It is to be feared that the recent extraordinary prosperity of the country has not been an unmixed blessing."

Mr. ALEXANDER. I freely agree with that.

Senator GRAY. And so far you agree with Mr. Blount?

Mr. ALEXANDER. Yes; the tendency to large estates is not very good; I do not like the system of labor; but it dates back beyond the reciprocity treaty.

The CHAIRMAN. Do you think the incoming of Chinese, Japanese, and Portuguese laborers into Hawaii is really a threat against the preservation and prosperity of the Kanaka race?

Mr. ALEXANDER. I think it is injurious. For example, the mass of the Chinese and a majority of the Japanese are unmarried men. That increases the great disproportion between males and females in that country. The Chinese particularly set up little shops all over the country and sell liquor and opium when they can get customers—sell it on the sly, and do a great deal to demoralize the natives.

Senator BUTLER. Do the Chinese come there to remain or do they generally return home?

Mr. ALEXANDER. Generally return home. I might say that on that point we have a pretty strict law on Chinese immigration. Since 1876 the Chinese have diminished from 23,000 down to less than 14,000 —13,000 now.

The CHAIRMAN. The policy of Hawaii has been to discourage Chinese immigration?

Mr. ALEXANDER. Yes; and in lieu of that to import Japanese.

The CHAIRMAN. Are those Japanese imported with the expectation of their becoming inhabitants of the country?

Mr. ALEXANDER. They are under a three years' contract. The Japanese consul retains three-fifths of their wages to furnish them money to go home.

Senator BUTLER. Is not that because of this reciprocity treaty?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Is it true that what is called the missionary element in Hawaii really desires, and shows that it really desires, by its conduct and dealings with the people, to preserve the Kanaka race?

Mr. ALEXANDER. Decidedly; yes.

The CHAIRMAN. You think that that is the real purpose of that element?

Senator GRAY. What element?

The CHAIRMAN. The missionaries and their associates.

Mr. ALEXANDER. I say that that element supports the charitable and educational institutions of the country.

The CHAIRMAN. Is it the disposition of that element to see the Kanaka element go out of the country, or is it their disposition to build the Kanaka element up?

Mr. ALEXANDER. I think the missionary element comprises the strongest friends of the Kanakas.

The CHAIRMAN. Is it, according to your understanding, the real purpose or desire on the part of the missionary element to build up and sustain the Kanaka element?

Mr. ALEXANDER. Yes, it is.

The CHAIRMAN. Was that the cause of the passage of the restrictive laws on Chinese immigration?

Mr. ALEXANDER. That was one cause.

The CHAIRMAN. You found that the foreign oriental population was building up the country too rapidly?

Mr. ALEXANDER. Yes; the Chinese and the Japanese, come into competition with the white and Kanaka mechanics and shop keepers. They do not remain laborers; they serve out their contracts and try to make a living in some other way.

The CHAIRMAN. Suppose the reciprocity treaty were continued with all the benefits which were had before the arrival of the McKinley bill, which you say was a blessing in disguise to the Kanaka people——

Mr. ALEXANDER I suppose many disagree with me about that.

The CHAIRMAN. Suppose that condition of things would produce a continuous supply of Oriental people as laborers, what would be the ultimate result of that on the Kanaka people?

Mr. ALEXANDER. They would be displaced gradually and the islands would become a Mongolian colony.

The CHAIRMAN. And the Kanakas would disappear?

Mr. Alexander. They would decrease.

The CHAIRMAN. There is a decrease there, and you think the ultimate effect would be the disappearance of the Kanakas?

Mr. ALEXANDER. Yes; the liquor and demoralization would hasten the decline of the Kanaka race.

The CHAIRMAN. Is there not a purpose, a policy, amongst the missionary element, the more enlightened property-holding element in Hawaii, to prevent that result?

Mr. ALEXANDER. Yes; they are very anxious to save the native race —have made sacrifices of money, time, and labor for the natives. The paper referred to by the Chairman awhile ago is as follows:

SKETCH OF THE CONSTITUTIONAL HISTORY OF THE HAWAIIAN ISLANDS.

ORGANIZATION OF THE GOVERNMENT UNDER KAMEHAMEHA I.

After the conquest of the group by Kamehameha I, he consolidated and reorganized the government, and it may properly be said that an unwritten constitution existed. All the lands in the Kingdom were claimed by the conqueror and apportioned among his followers according to their rank and services, on condition of their rendering him military service and a portion of the revenues of their estates. He broke up the old system of district chieftains and appointed governors, *kiaaina*, over the principal islands. These governors, subject to his approval, appointed tax-collectors, heads of districts, and other petty officers. They also dispensed justice for their respective circuits. The four great Kona chiefs who had raised him to the throne and aided him in all his wars, viz, the twin brothers Kameeiamoku and Kamanawa, their half-brothers, Keeaumoku and Keaweaheulu, were his recognized counselors, and, with Kalanimoku, his treasurer, may be regarded as his cabinet. John Young and Isaac Davis also had great influence with him.

Knowing the worthless character of his heir, Liholiho, Kamehameha by his will, 1819, appointed Kaahumanu, his favorite queen, as kuhina nui, or premier, to exercise equal authority with Liholiho, with a power of veto on his acts.

A general council of chiefs was convened on several occasions, as when Liholiho left for England in 1823; again on the arrival of the news of his death in 1825, to settle the government, in order to make

a treaty with Commodore Jones, in 1826, to enact the first written laws in 1827, and on other occasions.

On account of the long minority of Kauikeaouli, or Kamehameha III, the council of chiefs had greater weight in the government than formerly and was easily constituted a house of nobles. Up to this time the common people were not considered as having any political rights whatever.

The First Written Constitution, 1839–'40.

Kamehameha III and his chiefs early became convinced that their system of government needed to be remodeled, and wrote to the United States in 1836 for a legal adviser and instructor in the science of government. Failing to procure such a person, in 1838 they chose Mr. Richards to be their adviser and interpreter. He accordingly was released from his connection with the American mission, and entered upon his duties in 1839 by delivering a series of lectures on the science of government to the King and chiefs of Lahaina.

The declaration of rights and the first code of laws were drawn up at that time. At first a draft was made by a graduate of the Lahainaluna Seminary, section by section, at the direction of the King. This was then read to the King and several of the chiefs, who spent two or three hours a day for five days in discussing the proposed constitution and laws, after which the draft was revised and rewritten.

The revised draft then passed a second reading at a meeting of the King and all the important chiefs of the islands, at which some further amendments were made.

It afterwards passed a third reading and was unanimously approved, after which it was signed by the King and published in a pamphlet of 24 pages, June 7, 1839.

Having been composed in the Hawaiian language, the laws show unmistakable marks of their origin. (Haw. Spectator, July, 1839.)

In 1840 the first constitution was drawn up in a similar manner and approved in a general council of the chiefs. It was then signed by the King and the premier, Kekauluohi, and proclaimed October 8, 1840.

The declaration of rights plainly shows the influence of the Bible and of the American Declaration of Independence.

The whole of this constitution gives unmistakable evidence that it was originally composed in the Hawaiian language, and by Hawaiians.

The preliminary declaration of rights, published in 1839, produced a feeling of security unknown before, and formed the first step in establishing individual property in land. It also guarantied religious liberty, and led to the edict of toleration which was issued by the King June 17, 1839.

This constitution declared that no land could be conveyed away without the consent of the King. Land forfeited for nonpayment of taxes should revert to him. He should have the direction of the Government property and of the various taxes. It should be his prerogative to make treaties and receive ambassadors. He should be commander in chief of the army, and "have power to make war in times of emergency, when the chiefs could not be assembled." He should be the chief judge of the supreme court.

The singular office of *Kuhina nui* or premier was continued. The premier's office was to be the same as that of Kaahumanu, by the will of Kamehameha I. All business shall be done by the premier, under the authority of the King. All Government property should be reported to

him or her, and he or she should make it over to the King. "The King shall not act without the knowledge of the premier, nor the premier without the knowledge of the King, and the veto of the King on the acts of the premier shall arrest the business." "The King could transact no important business of the Kingdom without the approbation of the premier."

The four governorships, instituted by Kamehameha I, were perpetuated. Each governor was to have the direction of the tax collectors of his island, who were appointed by the King. He had power to appoint the district judges. He was to have charge of the military and of the war material of his island, and of public improvements.

The Legislative power was vested in the house of nobles, composed of 14 hereditary nobles, together with the King and premier, and certain representatives to meet annually, to be elected by the people. The number of representatives was afterwards fixed by law at seven. The two houses could sit separately or consult together at their discretion. "No new law should be made, without the approbation of a majority of the nobles and also of a majority of the representative body," as well as the approval and signature of the King and premier. A supreme court was established, consisting of the King and premier, and four judges, to be appointed by the Legislature.

Amendments of the constitution could be made by the nobles and representatives with the King's concurrence, after a year's notice of said amendments had been given.

But at the next session, held May 31, 1841, an act was passed which gave "the King, the premier and the nobles resident near" authority in special cases to enact a law which should stand until the next meeting of the Legislature, which could confirm or amend it. Under this grant, the King and privy council often, during the next few years, exercised legislative functions.

Organization of the Government 1845–'47.

As has been seen, this first constitution was extremely simple and loosely drawn up.

On the 28th of November, 1843, the two governments of France and England united in recognizing "the existence in the Sandwich Islands of a government capable of providing for the regularity of its relations with foreign nations." But it was soon perceived by the friends of the nation that much yet remained to be done in order to organize a civilized government, worthy of such recognition.

On the 20th of May, 1845, the Legislature was formally opened for the first time by the King in person, with appropriate ceremonies, which have retained ever since. At this session Mr. John Ricord, the attorney-general, made a masterly report on "the inferences of the constitution," and the implied powers and duties of the King, showing the necessity that existed for a series of organic acts, defining the said duties, and creating five departments of the executive, viz, those of interior, of finance, of foreign affairs, of public instruction and of the attorney-general.

By order of the Legislature he afterward drafted two volumes of statute laws, organizing not only these departments but also the judiciary department, which laws were enacted in 1846 and 1847, and form the basis of the present civil code. In fact there has been little change in the machinery of the Government as then set in operation.

By the first act the privy council was constituted, to consist of the

five executive ministers, the governors, and other honorary members appointed by the King, and its powers were defined.

By the third act the district justices' courts appointed by the governors, the circuit courts created by this act, and the supreme court, were organized, and their respective jurisdictions defined.

Thus, from the crude constitutional sketch of 1840, a complicated system of government was evolved by the genius of this young lawyer.

On the 30th of June, 1850, an act was passed increasing the number of representatives of the people in the legislative council to 24, and entitling ministers to seats and votes in the house of nobles. Another act was then passed to regulate the elections.

CONSTITUTION OF 1852.

On the 20th of June, 1851, a joint resolution was passed by both houses of the Legislature and approved by the King, providing for the appointment of three commissioners, one to be chosen by the King, one by the nobles, and one by the representatives, who were to revise the existing constitution, to publish the changes which they should recommend, on or before December of that year, and to submit the same to the next Legislature.

Accordingly the King chose Dr. Judd, the nobles John Ii, and the representatives Chief Justice Lee. The draft which had been prepared chiefly by Judge Lee, and embodied the main points of the organic acts of 1846–'47, was submitted to the Legislature of 1852, where it was discussed article by article.

After receiving several amendments, it was finally approved by both Houses of the Legislature, June 14, 1852, signed by the King and Kuhina, and went into effect December , 1852.

This constitution was well suited to the time, erring, if at all, on the side of liberality, and has served as the basis for all succeeding constitutions.

The declaration of rights in it was elaborate, consisting of 21 articles. The executive, legislative, and judicial powers were to be preserved distinct; "the two last powers cannot be united in any one individual or body."

The King was declared to be the supreme executive magistrate of the Kingdom.

His person was declared to be "inviolable and sacred." His ministers are "responsible."

"All laws that have passed both Houses of the Legislature shall be signed by His Majesty and the Kuhina Nui. All his other official acts shall be approved by the privy council, countersigned by the Kuhina, and by the minister to whose department such act may belong."

He was to be commander-in-chief of the army and navy; "but he shall never proclaim war without the consent of his privy council."

It was by and with the advice of his privy council that he should grant pardons, convene the Legislature, make treaties, oppoint ambassadors, appoint and remove the several heads of the executive departments.

The office of Kuhina Nui, as a kind of Vice-King, was retained out of deference to the feeling of the chiefs. The Kuhina Nui was to be "the King's special counsellor on the great affairs of the Kingdom." "The King and Kuhina Nui shall have a negative on each other's acts." During any temporary vacancy of the throne, the Kuhina Nui should act as regent.

Section III treats of the privy council. The members of the privy council were appointed by the King, and held their offices during his pleasure. The ministers and the governors were *ex officio* members of the privy council.

Section IV treats of the King's ministers, who were appointed by him and held office "during His Majesty's pleasure." They held seats *ex officio* in the house of nobles. Each of them was to make an annual report to the Legislature of the business of his department.

Section V treats of the governors. They were commissioned by the King, by and with the advice of his privy council, for the term of four years. The governors "by and with the advice of the justices of the supreme court," appointed the district justices of their respective islands, for the term of two years.

The Legislature was to meet annually in April. The members of the house of nobles were appointed by the King for life, but their number should not exceed thirty. The house of nobles was empowered to sit as a court to try impeachments made by the House of Representatives against any public officers.

The house of representatives should consist of not less than 24, nor more than 40 members, to be elected annually by universal suffrage. All revenue bills should originate in the lower house.

The supreme court was remodeled, to consist henceforth of a chief justice and two associate justices. They held their offices for life, subject to removal upon impeachment. Their compensation could not be diminished during their continuance in office. Circuit courts, not less than four, were ordained, the circuit judges to be appointed for life, during good behavior, subject to impeachment. The higher judges were to be appointed by the king by and with the advice of his privy council.

Amendments to this constitution had to be approved by a majority of one legislature, published for three months before the next election, and finally passed by two-thirds of both houses, and signed by the King.

The King had practically an absolute veto on legislation, but this and other theoretical powers were exercised only in accordance with English precedents by the sovereigns of the Kamehameha dynasty. For example, they never arbitrarily dismissed a minister or ministry from office, or made changes in the civil service except for good cause.

The Working of the Constitution of 1852.

During the next twelve years the constitution worked as well as ought to have been expected. The office of attorney-general was not filled from 1847 till 1863, but district attorneys were employed, while the department of public instruction was made a bureau in 1855, under the board of education.

In 1856 an amendment to the constitution was adopted, which made the sessions of the Legislature biennial instead of annual.

In the session of 1862, among other amendments approved and laid over for final action at the next session, was one which made the right to sit as representative depend on the possession of $250 worth of real estate or an income of $250 per annum.

There was considerable friction between the two houses, especially on money bills, the lower house at that time being decidedly the more business-like and dignified of the two. In 1862 it compelled the resignation of an incompetent and intemperate minister of finance.

The royal brothers, Alexander and Lot, were extremely jealous of American influence, and had never approved of the radical changes made during Kamehameha III's reign, believing them to be wholly unsuited to the Hawaiian people. They were also displeased with the independent spirit shown by the lower house, and its investigating committees.

The Coup D'Etat of 1864.

Prince Lot Kamehameha had resolved never to take the oath to maintain the constitution of 1852, but to seize the opportunity to make such changes in it as would increase the power of the Crown. Accordingly, immediately after the death of his brother, on the 30th of November, 1863, he was proclaimed King, without taking the oath, under the title of Kamehameha V. He was careful not to convene the regular Legislature of 1864, but issued a proclamation May 5 for the election of a constitutional convention, to be held June 13. Meanwhile, accompanied by Mr. Wyllie, Kalakaua, and other reactionaries, he made a tour through the islands, explaining and defending the changes which he desired to make in the constitution.

The convention met July 7, being composed of sixteen nobles and twenty-seven elected delegates, presided over by the King. After a week's debate it was decided that the "three estates" should sit together in one chamber.

The next question was whether this convention had the right to proceed to make a new constitution. It was strongly argued that the "only legal method in which the constitution can be referred back to the constituting powers is prescribed in that instrument itself." "Any other method is revolution, and revolutions do not generally claim to be constitutional." After several days' debate the question was decided in the affirmative, on which four delegates resigned their seats. The convention then went on with the revision of the constitution, but on the subject of the property qualification it was found to be intractable. After a long discussion of the article the King lost all patience, and on August 13 he declared the existing constitution to be abrogated and prorogued the convention.

On the 20th of August, 1864, he promulgated a new constitution upon his own authority, which was never submitted to ratification by the people, but continued in force for 23 years.

Constitution of 1864.

The constitution of 1864 was merely a revision of that of 1852, and there were fewer changes in it than had been expected. It was understood at the time that it was drawn up by Mr. C. C. Harris, the attorney-general.

In the bill of rights, the clause guaranteeing elections by ballot was stricken out.

The clause forbidding the union of the legislative and judicial powers in one person was altered to read, "and no judge of a court of record shall ever be a member of the Legislature."

The useless office of *Kuhina Nui* was abolished, and provision made for a regency in case of the minority of the heir to the throne, or of the absence of the sovereign from his Kingdom. The chapter relating to governors was omitted, and the subject left to be regulated by statute.

The nobles and representatives were thenceforth to sit together in

one house, to be styled the Legislative Assembly. The number of the nobles was now limited to 20, while that of representatives remained as before, not less than 24 nor more than forty, to be elected biennially. No person should be eligible for representative unless he owned real estate within the Kingdom worth over and above all incumbrances at least $500, or had an annual income of at least $250.

Every voter was required to own real property worth over and above all incumbrances $150, or a leasehold on which the rent was $25 per annum, or to have an income not less than $75 per annum. These property qualifications might be increased by law. He was also required, if born since 1840, to know how to read and write.

In regard to the status of judges, the old constitution had provided that any judge of the supreme court, or of any other court of record, might "be removed from office for mental or physical inability by a concurrent resolution of two-thirds of both branches of the Legislature." In the new constitution the latter part of this sentence was changed to read, "on a resolution passed by two-thirds of the Legislative Assembly, for good cause shown to the satisfaction of the King."

The powers of the privy council were considerably diminished. Its approval was no longer required for appointment to office. Its chief remaining functions were to pass on pardons, grant charters, or appropriate money "when, between the sessions of the Legislative Assembly, the emergencies of war, invasion, rebellion, pestilence, or other public disaster shall arise."

The governors were given by statute nearly the same powers and duties as were secured to them by the old constitution. They appointed the tax collectors, subject to the approval of the minister of finance and district justices, "by and with the advice of the justices of the supreme court." Their chief duty under the law was to superintend the collection of taxes in their respective islands. In point of fact they acted as the King's personal agents, especially in elections.

The Constitution of 1864 under Lunalilo and Kalakaua.

Lunalilo's election was in great part due to the popular discontent with the arbitrary rule of Kamehameha V. On his accession to the throne several amendments to the constitution were approved at the special session of the Legislature held in January, 1873. The most important of these were one to abolish the property qualifications of voters and another to restore the division of the Legislature into two houses sitting separately.

The subject came before the next Legislature for final action, in July, 1874, when the former amendment was duly ratified by a two-thirds vote, but the latter failed to pass.

The number of representatives had been fixed by law at 28 in 1868. An act increasing the number of justices of the supreme court to five was passed in 1886.

The evil tendencies which had begun to show themselves during Kamehameha V's reign went on increasing during the reign of Kalakaua.

At the legislative session of 1884 a law was passed giving the King the sole power to appoint the district justices, through his creatures, the governors, by striking out the clause "by and with the advice of the justices of the supreme court."

At the elections of 1886 almost all the candidates of the King's party were officeholders.

The personal interference of the King in politics was carried to an extent unthought of before, while the constitutional precedents of former reigns were wholly disregarded. The Government was in danger of becoming an Asiatic despotism like that of Johore, when the revolution of 1887 took place and Kalakaua was compelled to sign and proclaim a new constitution July 6, 1887.

THE CONSTITUTION OF 1887.

The constitution of 1887, like that of 1864, was merely a revision, but for different objects, viz, to put an end to personal government by making the ministry responsible only to the people through the Legislature, and to widen the suffrage by extending it to foreigners, who were practically debarred from naturalization under the existing law.

The declaration of rights remained unchanged except an important addition to art. 20, viz: "and no executive or judicial officer, or any contractor or employé of the Government, or any person in the receipt of salary or emolument from the Government, shall be eligible to election to the Legislature of the Hawaiian Kingdom. And no member of the Legislature shall, during the time for which he is elected, be appointed to any civil office under the Government except that of a member of the cabinet."

Article 39: "The King's private lands and other property are inviolable," was dropped.

A more important change was made in article 42. The minister, instead of holding office during His Majesty's pleasure, "shall be removed by him only upon a vote of want of confidence passed by a majority of all the elective members of the Legislature, or upon conviction of felony, and shall be subject to impeachment."

The cabinet were to hold seats, as before, in the Legislature, with the right to vote, "except on a question of want of confidence."

The time of meeting of the Legislature was changed from April to May. In article 48 the King's veto power was limited. If he disapproved of a bill, he was to return it to the Legislature, with his objections, within ten days, and if on reconsideration it should be approved by a two-thirds vote of all the elective members it shall become a law.

The number of nobles was increased from 20 to 40. Instead of being appointed by the King for life, the nobles were henceforth to be elected for six years, and serve without pay, one-third of them going out every two years. A candidate for the office of noble was required to own taxable property of the value of $3,000 over and above all incumbrances, or to have an income of not less than $600 per annum, and to have resided in this Kingdom three years.

The same property qualifications and term of residence were required of electors of nobles.

The number of representatives was fixed at 24. No change was made in the property qualification or term of residence of representatives. The compensation of representatives was increased to $250 for each biennial term.

Article 62, on the qualifications of voters, was altered by substituting for the words "male subject, etc.," the words "male resident of the Kingdom, of Hawaiian or European birth or descent, who shall have taken the oath to support this constitution and the laws."

The above provision excluded Asiatics from voting. The other conditions of one year's residence, and of knowing "how to read and

write either Hawaiian, English, or some European language," were waived for the first election in 1887, but have been enforced ever since.

No change was made in the articles relating to the judiciary. The privy council was retained, but was given even less power than before. Its chief remaining function is to act as a board of pardons.

A new and most important article was added as follows: "Art. 78. Wherever by this constitution any act is to be done or performed by the King or the Sovereign, it shall, unless otherwise expressed, mean that such act shall be done and performed by the Sovereign by and with the advice and consent of the cabinet."

The office of governor was abolished by the Legislature of 1888, and its duties divided between the sheriffs and tax collectors.

The number of judges in the supreme court has been since reduced to three.

Notwithstanding article 78, it was decided by a majority of the supreme court in 1888, that the King, under article 48, could exercise a personal right of veto, in opposition to his ministers.

After the death of Kalakaua, it was also decided by the Court, February 25, 1891, that the new sovereign had a right to demand the resignations of the former cabinet and to appoint a new one.

Most of the changes in the constitution made in 1887 are in strict accordance with the principles of representative constitutional government. That they could have been brought about by regular amendments of the constitution of 1864 is universally admitted to have been impossible.

As the constitution proposed to have been proclaimed January 14, 1893, has been sedulously concealed by its author, I am unable to give any exact information in regard to it.

Respectfully submitted,

W. D. ALEXANDER.

Adjourned to meet on Tuesday, January 9, 1894.

WASHINGTON, D. C., *January 9, 1894.*

The subcommittee met pursuant to adjournment.

Present, the Chairman (Senator MORGAN) and Senators BUTLER, GRAY, and FRYE.

Absent, Senator SHERMAN.

SWORN STATEMENT OF PROF. WILLIAM DE WITT ALEXANDER—Continued.

Mr. ALEXANDER. I have taken some pains to make a correct estimate of the expenditures for education in the Hawaiian Islands for the biennial period 1890–'92. It is to be a part of my oral testimony given the first day. The total per annum is $284,000.

Senator BUTLER. I suggest that the statements be printed.

Mr. ALEXANDER. Here is the petition for the lottery. [Producing paper.]

The CHAIRMAN. I will read it to the committee. It is as follows:

"THE PETITIONS FOR THE LOTTERY.

"Mr. Nordhoff has attempted to break the effect of the passage of the lottery bill and its signature by the Queen by referring to certain

petitions in its favor, which have been published at the end of Col. Blount's report, but without date.

"The impression which is sought to be made is that these petitions were sent in shortly before the passage of the said bill, and influenced the mind of the Queen in signing it."

Mr. ALEXANDER. I should have inserted the words "by Mr. Nordhoff," so that it would read: "The impression which is sought to be made by Mr. Nordhoff," etc. I might give a wrong impression if those words were omitted, and I should be sorry to make an insinuation against Mr. Blount. That completes the historical part.

The CHAIRMAN. I continue:

"The facts are that these petitions were signed before the first introduction of the lottery bill, which was on the 30th of August, 1892, four and a half months before its final passage.

"The signatures were obtained by a rapid secret canvass, before publicity had been given to the movement, and before any discussion of its effects had taken place. Many signed without reflection who afterward deeply regretted it. As soon as the bill was printed a powerful opposition sprang up, which resulted in its being shelved, as was supposed, forever. Still it was known by some that the Queen and Wilson had been in favor of it from the first, and that the snake had been only 'scotched,' not killed.

"Near the end of the session, in the absence of six of its opponents, the bill was suddenly revived, rushed through and signed in the face of a strong and unanimous protest by the chamber of commerce, and numerous memorials and petitions from all quarters.

"The passage of that bill, the voting out of an upright ministry, and the attempted *coup d'état* were all parts of one plan to corrupt and destroy honest constitutional government in Hawaii. As it was only one white man dared to vote for it.

"W. D. ALEXANDER."

Is there anything else?

Mr. ALEXANDER. That is all.

SWORN STATEMENT OF LIEUT. LUCIEN YOUNG, OF THE BOSTON.

The CHAIRMAN. You belong to the Navy?

Mr. YOUNG. Yes; I am a lieutenant in the Navy, on duty at present in the Navy Department engaged in the work of compiling the Naval War Records of the late rebellion.

The CHAIRMAN. Were you on the cruiser *Boston* in January, 1893?

Mr. YOUNG. Yes; I was on the *Boston* during her entire stay in Honolulu.

The CHAIRMAN. When did the *Boston* first arrive there?

Mr. YOUNG. On or about the 24th of August, 1892.

The CHAIRMAN. Did she remain in the harbor during all the time?

Mr. YOUNG. She only left the harbor twice; once in October, I think it was, we went out to look up some shipwrecked Americans who had been cast upon the large island of Hawaii. We found them and brought them back to Honolulu. Then, on the 4th of January we went to Hilo, on the island of Hawaii, for target practice, and returned to Honolulu on the 14th of January.

Senator BUTLER. How long were you on that first trip?

Mr. YOUNG. I think five days.

The CHAIRMAN. Did Minister Stevens go with you on your second cruise?

Mr. YOUNG. Yes; he and his daughter went with us.

The CHAIRMAN. The one who was subsequently drowned?

Mr. YOUNG. Yes. I helped her into the boat as she was going ashore.

The CHAIRMAN. Where were you?

Mr. YOUNG. Off the island of Hawaii. She had been visiting one of the sugar estates there. It was in lowering her into the boat for passage from shore to the Inter-Island steamer, which was done in a cage, that she was drowned. One of the natives told me that he believed she was killed before she struck the water; that the waves struck her and she was killed in the cage. She was to take passage for Honolulu on a little island steamer, not the *Boston*. We landed her at the same place where she was drowned and then proceeded to Hilo.

The CHAIRMAN. Do you remember the date of her death?

Mr. YOUNG. I can get that. We went down on the 4th; returned on the 14th, and her death must have been on the 18th, I should say. I think the minister got the news of the death about the time the revolution was going on.

The CHAIRMAN. I will ask you whether or not at the time you first left there you had some acquaintance with the state of public feeling and the situation of affairs generally in Honolulu?

Mr. YOUNG. Yes.

The CHAIRMAN. Was there any evidence of a commotion or outbreak?

Mr. YOUNG. When we left none whatever, everything appeared to be settled. And that was the reason that justified us in leaving to get this target practice which we were in need of.

The CHAIRMAN. Prior to that time was there any agitation in Honolulu?

Mr. YOUNG. Yes; a good deal of agitation in reference to the voting out of the several ministrys by the Legislature and persistent appointment by the Queen of others inimical to American interests unsatisfactory to the intelligent members of the Legislature and wealthy classes on the islands. This involved a good deal of diplomatic trouble between the American and British ministers in reference to the interests of their respective countries, and I have seen the latter on the floor of the Legislature while in session lobbying. Finally a cabinet was appointed representing the wealth and intelligence of the islands, and also in favor of American interests. When they attempted to vote them out by a vote of want of confidence they failed to do so, and it left the matter looking like they were there to stay and we went away.

Senator FRYE. That was the Wilcox cabinet?

Mr. YOUNG. Yes.

The CHAIRMAN. So that the situation when you left Honolulu on that cruise was one of quiet, peace, and composure?

Mr. YOUNG. Yes; everything was perfectly quiet when we left the harbor.

Senator FRYE. It was the expectation that the Wilcox ministry was to continue for a long time?

Mr. YOUNG. Yes. Minister Stevens told Capt. Wiltse in my presence that he believed the Wilcox ministry would continue, but Capt. Wiltse said that he did not think so.

Senator FRYE. Minister Stevens believed it would continue?

Mr. YOUNG. Yes; so he stated to me, and Capt. Wiltse based his opinion on what I heard on shore and reported to him. I heard from

one of the ministers, Mr. Parker, that all the native members of the Legislature were willing to have this cabinet out, and they expected to get one or two of the whites to go with them, and to vote them out very shortly.

Senator FRYE. That was Parker?

Mr. YOUNG. Sam Parker, yes; a former minister of foreign affairs.

The CHAIRMAN. Did you communicate that to Capt. Wiltse?

Mr. YOUNG. Yes; I told him that myself.

The CHAIRMAN. But the minister did not believe there would be a disturbance of the cabinet, and he went away on this cruise?

Mr. YOUNG. Yes; he did not believe there would be any disturbance at all.

The CHAIRMAN. And took his daughter with him?

Mr. YOUNG. Yes; he believed that the ministry had come to stay and they could not be removed.

Senator GRAY. What was the date of this cruise?

Mr. YOUNG. Fourth of January when we left Honolulu.

The CHAIRMAN. Did Minister Stevens have any other part of his family with him?

Mr. YOUNG. Yes; his wife and another daughter were in Honolulu.

The CHAIRMAN. They did not go with you on the cruise?

Mr. YOUNG. No; they remained at home.

The CHAIRMAN. Where did you first go?

Mr. YOUNG. The first to Hilo, the port of entry, situated on what is known as the island of Hawaii, the largest of the group, and we returned to Lahaina, on the island of Maui. An intimate friend of mine came on board near midnight from the island steamer that had left Honolulu the afternoon preceding and communicated to me that the Wilcox ministry had been voted out the day before and another one appointed in its stead. I told Captain Wiltse and Minister Stevens. At the time we were getting up steam to return to Honolulu in obedience to orders the evening before that we might arrive there in the daytime.

The CHAIRMAN. Is there any telegraphic communication between those islands?

Mr. YOUNG. No; they attempted to construct an inter-island cable, but it soon corroded and was rendered useless.

The CHAIRMAN. You have to depend on steamers for communication between the islands?

Mr. YOUNG. Yes, the inter-island steamers. They make their trips twice a week. One is the Widler Company and the other is the Inter-Island Steam Navigation Company.

The CHAIRMAN. How many days were you getting into Honolulu from Hilo?

Mr. YOUNG. We left Hilo and returned to Lahaina and were there two days. We left Lahaina at 12 o'clock on the 13th of January, and we arrived in Honolulu at 10:30 o'clock on the morning of the 14th of January—Saturday.

The CHAIRMAN. Did Minister Stevens immediately go ashore?

Mr. YOUNG. I am not sure about it. I was sent for by the captain, at least, I was off duty and he requested me, which was equivalent to an order, to put on full dress uniform and accompany the consul-general to the ceremonies of the prorogation of the Legislature. Before the ship was secured even, I left the ship.

The CHAIRMAN. Who was the commander of the *Boston* troops that landed?

Mr. YOUNG. Lieut. Commander Swinburn; he is down at Annapolis.

The CHAIRMAN. Had you been invited to attend the ceremonies of the prorogation of the Legislature?

Mr. YOUNG. We had been invited; yes.

The CHAIRMAN. That is customary?

Mr. YOUNG. Yes.

The CHAIRMAN. A matter of ceremony?

Mr. YOUNG. Yes.

The CHAIRMAN. Did you attend the prorogation?

Mr. YOUNG. Yes.

The CHAIRMAN. Were you with any troops?

Mr. YOUNG. There was no one but myself; I was in full-dress uniform.

The CHAIRMAN. Do you know whether Minister Stevens left the ship before you did?

Mr. YOUNG. No. My impression is I left before he did.

The CHAIRMAN. Did you go immediately to the Government house?

Mr. YOUNG. I went first to the consul-general's and we drove together to the Government building.

The CHAIRMAN. That is not Iolani palace?

Mr. YOUNG. No; it faces it, some little distance from it.

The CHAIRMAN. About how many yards?

Mr. YOUNG. I should say about 400 yards.

The CHAIRMAN. As much as that?

Mr. YOUNG. It may be less—about 300 yards. The palace is situated in a large square, and King street passes in front of the palace. There is a kind of yard in front of the Government building, I should say between 300 and 400 yards very nearly.

The CHAIRMAN. Had you seen the consul-general before that day?

Mr. YOUNG. No; I went to the consulate to meet him.

Senator FRYE. Who was the consul-general?

Mr. YOUNG. Mr. Severance. I went direct to the consul-general's office, and we together went to the Government building.

Senator BUTLER. You mean the consul-general of the United States?

Mr. YOUNG. Yes.

Senator BUTLER. Was this Government building where the legislature met?

Mr. YOUNG. Yes, sir; that is where the Legislature sits, but it was also the supreme court chamber and the other offices in the same building; but the large hall was the legislative hall. The Legislature was composed of nobles and representatives sitting in joint session.

The CHAIRMAN. Did you proceed immediately with the consul-general to the Government building?

Mr. YOUNG. Yes.

The CHAIRMAN. What was going on when you got there?

Mr. YOUNG. When I got there there was quite a crowd around the rear end of the building, and two or three leading Americans and Judge Hartwell, who was one of the leading lawyers of the place and minister under Kalakaua, informed me that the Queen contemplated the promulgation of a new constitution immediately after the adjournment of the Legislature, and asked me if I would not go on board ship and inform Captain Wiltse. I went in to speak of it to Consul-General Severance, and he laughed and said, "I do not believe a word of it." I went in and was shown the seat assigned me in the legislative hall, a little to the left and in front of the rostrum where speaker used to

sit, and which the Queen used when she read her proclamation. After waiting some little time they commenced, and I believe it was about the funniest affair I ever saw in my life—a circus.

The procession was headed by two or three lackeys, and then followed the governor of Oahu, father to the heiress apparent, dressed in a gaudy uniform covered with gold and orders; the chamberlain with attendants all dressed up in uniform, and then came Her Majesty, with a long train, and four lackeys in knee breeches carrying the train, and then the two royal princesses, ladies in waiting, a staff, the four ministers, and other attendants. It was a very amusing scene. Afterwards the proclamation was handed to her in a portfolio, when she stepped to the front of the rostrum and began reading, first in English and then in Kanaka. I do not believe there were more than one or two white members of the Legislature present at the time. The Kanakas and every one were decorated with the various orders of Kamehameha I and Kalakaua, consisting of great big stars stretched out on the breast. It was quite a circus and very amusing.

The CHAIRMAN. Were any of them wearing wreaths of flowers?

Mr. YOUNG. No; I did not see any of them.

The CHAIRMAN. Do you know what that signifies in Hawaii—the wearing of wreaths of flowers?

Mr. YOUNG. No, I do not. I have heard a great many reasons. But the nearest I could get to it was simply a decoration and ornament. A natural passion for flowers.

The CHAIRMAN. Not a badge of office?

Mr. YOUNG. No; simply an ornament—decoration.

The CHAIRMAN. Do you remember the Queen's proclamation of prorogation of the Legislature?

Mr. YOUNG. No. I think it was simply to thank them for the faithful performance of their duty, and now that the Government was at peace with everybody, etc., she thanked them for their attendance, and so on—really a complimentary affair; and then wound up by declaring this Legislature prorogued.

The CHAIRMAN. That meant that there was to be a new election?

Mr. YOUNG. Yes; the Legislature meets every two years.

Senator BUTLER. How long had that been in session?

Mr. YOUNG. We arrived in Honolulu about the 24th of August, and I think they had been in session since about the 1st of July. They continued in session up to January 14.

Senator BUTLER. When it was prorogued by the Queen?

Mr. YOUNG. Yes.

The CHAIRMAN. The two houses sit together?

Mr. YOUNG. Yes.

The CHAIRMAN. Nobles and representatives?

Mr. YOUNG. Yes.

Senator BUTLER. Is that the usual way?

Mr. YOUNG. Yes.

Senator BUTLER. The Queen always appears and prorogues the Legislature?

Mr. YOUNG. Yes. The nobles and representatives sit in joint session

Senator GRAY. Vote together?

Mr. YOUNG. Yes; and the ministers sit with them and vote.

Senator GRAY. The vote is not taken in each house separately; the roll is not called separately?

Mr. YOUNG. I have been there and I thought they voted right along as they called the roll.

Senator GRAY. And questions are decided by a majority of the whole vote?

Mr. YOUNG. Yes; I have also seen them vote aye and no, by holding up their hands.

The CHAIRMAN. Immediately after this legislature was prorogued, what became of the Queen? Where did she go?

Mr. YOUNG. She passed into a large room on the left facing the rostrum; a large reception room about twice as large as this, where she held her reception.

The CHAIRMAN. Did you go in?

Mr. YOUNG. Yes; I passed on through the door. The consul told me he was going back to the office. I told him I was there in an official capacity, and I felt it my duty to go through with it.

Senator GRAY. You wanted to see the sights of the side circus?

Mr. YOUNG. Yes; the Governor of Oahu, Mr. Cleghorn, stopped me at the door and talked to me in a nervous strain as though to retain me. I passed in and bowed to the Queen and her ministers standing on the right, her aids, and passed on through the door. The Queen looked at me rather savagely, and did not return my salutation with any cordiality at all. I noticed that she acted in a peculiar way. First when she was reading her proclamation I thought she had a little stage fright, but in this reception room I saw that she was under the influence of a stimulant, in fact she was drunk. There is no question in my mind aboutit at all. Then I passed outinto the yard and started to go over into the palace, and I was advised not to go. Then I was told again on the outside that as soon as the Queen came over to the palace she was going to promulgate the new constitution. I was also informed that at the palace the night before there had been placed four or five pieces of artillery, enfilading the approaches to the palace, and that the Queen's household was said to be under arms. I thought affairs looked very serious, and that it was my duty to go immediately on board ship and inform my commanding officer, which I did.

The CHAIRMAN. Who told you that?

Mr. YOUNG. Different people.

The CHAIRMAN. Can you name them?

Mr. YOUNG. Yes; Judge Hartwell was one who told me, and I was also told by a half-white Kanaka. I do not know his name. I was told by two or three persons.

The CHAIRMAN. Did you see those brass pieces?

Mr. YOUNG. Yes.

The CHAIRMAN. Where were they?

Mr. YOUNG. I did not see them that day.

The CHAIRMAN. Where were they when you did see them?

Mr. YOUNG. Down in the yard of the palace when I saw them.

Senator BUTLER. Is that palace located in an open reservation?

Mr. YOUNG. Yes; it is a square, a perfect square, and right in the center of this square is the palace. In the top of the palace, the upper part of the palace, there are two halls. They cross each other at right angles. I had this statement confirmed afterward by some of the people stationed there. Wilcox, who was asked to take command of these pieces but refused, told me so afterwards. They were planted at the end of each one of these corridors.

Senator BUTLER. Is the palace surrounded by streets on each side?

Mr. YOUNG. Yes.

Senator FRYE. The Wilcox you refer to was C. P. Wilcox?

Mr. YOUNG. He was a young man who was sent by Kalakaua to Italy to be educated in the military school there. The Queen asked him to take charge of these pieces in the palace, and he declined to do it, and they were then placed under the command of Nowlein, who was in charge of the Household Guards, and he took charge. He told me he had men stationed there all the time.

Senator BUTLER. Where did you go?

Mr. YOUNG. I went aboard ship and reported to Capt. Wiltse what was going on, and he ordered me to go on shore in citizen's clothes and learn all I could and keep him posted. I went on shore and I found what I had heard before had become general throughout the town.

Senator BUTLER. What about the promulgation of the new constitution?

Mr. YOUNG. Yes; and also that a large meeting was in progress at W. O. Smith's office, on Fort street. I went in there and I made some inquiries, and I was told that two of the ministers had appealed for protection, and that the Queen had threatened to shoot them.

Senator FRYE. They were the Queen's present ministers?

Mr. YOUNG. Yes; Mr. Peterson and Mr. Colburn. Mr. Peterson and Mr. Colburn told me afterwards that they believed the Queen would have had them shot if they had not gone out.

Senator BUTLER. Out of the palace?

Mr. YOUNG. Yes.

Senator BUTLER. Where were the troops located?

Mr. YOUNG. In the palace grounds, inside of this reservation, and the police were down at the police station. And there was quite a number of people in W. O. Smith's office, most of them white, a good many Kanakas; I should say there were three rooms packed and jammed with people. I could not get into the inner rooms from the crowd, and they appointed a committee of safety.

The CHAIRMAN. How far was this office from the police station?

Mr. YOUNG. Not more than 800 to 1,000 yards.

The CHAIRMAN. How far from the Government buildings?

Mr. YOUNG. About three-quarters of a mile.

Senator BUTLER. Is that this place, put down on the maps as the barracks?

Mr. YOUNG. No; different place. [Indicating on the diagram.] I passed on down King street and went into the palace grounds after leaving Smith's office. I met several gentlemen, and asked them for information. When I went into the palace grounds there were two natives on the balcony of the palace haranguing the Kanakas, the overseer standing near them; and a man there, who interpreted what was said, stated that the Kanakas were stating to the crowd that the ministry, under the influence of the whites, had prevented the Queen giving them a new constitution, and they were appealing to the crowd and asking them to rise and shoot the crowd, whites and all.

The CHAIRMAN. That was afterwards interpreted to you?

Mr. YOUNG. Interpreted to me at the time.

The CHAIRMAN. By those Kanakas?

Mr. YOUNG. Yes, at the time.

The CHAIRMAN. As the statements were being made were these two men standing by the Queen?

Mr. YOUNG. Yes.

The CHAIRMAN. Were they on the balcony?

Mr. YOUNG. Standing on the balcony.

Senator BUTLER. This meeting at Smith's office was in sympathy with the Queen.

Mr. YOUNG. No; in sympathy with the old ministers. Coleburn and Peterson came down town and appealed to these people to protect them, stating that the Queen had threatened to shoot them, and it was threatened that they were to be locked up. A great many people, more people, came on in this place. The rooms were crowded; there were 250 to 300 persons there.

Senator BUTLER. In Smith's office?

Mr. YOUNG. Yes, and gathered around the door. I stayed in there a short time and then passed on down to the palace, and after I got a cab and drove around town, came back to the business portion of the town, and I sent three or four messages over to Capt. Wiltse, telling him what was going on. I stayed on shore until 12 o'clock that evening.

The CHAIRMAN. Or night?

Mr. YOUNG. At night. At night quiet crowds gathered around town and also in the club, and in the conversation all who had been the Queen's supporters were bitterly denouncing her acts, and there was nothing indicating anything but an effort to stop the Queen from promulgating her constitution. I met Chief Justice Judd, who stopped me and told me he had been in the palace some three or four hours, somewhere in that neighborhood, and he said that they had finally persuaded her not to promulgate the constitution that afternoon, but she insisted that she would do it in two or three days. But Chief Justice Judd said: "The trouble is over, and I think we may be able to stop it yet."

Senator BUTLER. You were in citizen's dress?

Mr. YOUNG. Yes.

The CHAIRMAN. Is Mr. Judd the chief justice of the supreme court of Hawaii?

Mr. YOUNG. Yes.

The CHAIRMAN. He was not disturbed in his office?

Mr. YOUNG. No. The only officials removed were four of the cabinet and also the marshal, and also of the guards.

The CHAIRMAN. When you speak of having gone from Smith's office to the palace grounds where you heard translated what these Kanakas said, did you see any artillery or other arms?

Mr. YOUNG. The Household Guards were all under arms.

The CHAIRMAN. How many were there of them?

Mr. YOUNG. About 60 of them.

The CHAIRMAN. Where were they?

Mr. YOUNG. In front of the palace, drawn up in lines near the approach to the palace, and some of them were on sentry duty back in the yard.

Senator BUTLER. Do you know of your own knowledge whether they were supplied with ammunition or not?

Mr. YOUNG. Yes.

The CHAIRMAN. Did you find any other persons on that occasion?

Mr. YOUNG. No.

The CHAIRMAN. Did you find any society or body of men in array?

Mr. YOUNG. None at all.

The CHAIRMAN. Were there many citizens, and if so, how many, around the palace building at that time?

Mr. YOUNG. One part of the palace grounds was crowded.

The CHAIRMAN. With whom?

Mr. YOUNG. Kanakas and whites both, and also King street down facing Palace Square.

The CHAIRMAN. Were they making any demonstration?

Mr. YOUNG. No.

The CHAIRMAN. Any cheering, hurrahing?

Mr. YOUNG. No. On the contrary the natives themselves even stopped these two Kanakas from speaking. They went up and tried to stop them. One of them, named White I think, they caught him and pulled him down from the balcony, and as they did he continued to screech out and holler his remarks as they pulled him down from the balcony.

Senator GRAY. Was he sober?

Mr. YOUNG. I do not think he was.

The CHAIRMAN. Did you get what he said after they pulled him down from the balcony?

Mr. YOUNG. Yes. I was told that he said, "I will not stop; I will continue until we get the constitution, or we will drive every white off the island."

The CHAIRMAN. That was while the Kanakas were pulling him down from the balcony?

Mr. YOUNG. Yes.

The CHAIRMAN. How high was that balcony where the Queen stood above the ground?

Mr. YOUNG. About ten or fifteen feet.

The CHAIRMAN. These persons who pulled down this Mr. White, did they climb up?

Mr. YOUNG. Yes; it is near the stairway.

The CHAIRMAN. Was the Queen near the stairway?

Mr. YOUNG. Yes; right by the door.

The CHAIRMAN. So that she was accessible to the persons from the outside?

Mr. YOUNG. Yes.

The CHAIRMAN. Did you see any of the artillery around the palace at that time?

Senator GRAY. When was the first time after that that you saw these little brass pieces?

Mr. YOUNG. It was some little time after. The new Government got them down when I saw the pieces.

Senator BUTLER. This was the 14th?

Mr. YOUNG. On the 14th.

Senator BUTLER. The day of your arrival?

Mr. YOUNG. Yes.

Senator BUTLER. What time of day?

Mr. YOUNG. About 5 o'clock.

Senator BUTLER. In the afternoon?

Mr. YOUNG. Yes.

Senator BUTLER. You had been in yonr uniform and attended the prorogation?

Mr. YOUNG. Yes.

Senator BUTLER. And then you returned aboard ship and returned in citizen's dress?

Mr. YOUNG. Yes; under the orders from the captain.

Senator BUTLER. That was how long after the prorogation?

Mr. YOUNG. They prorogued the Legislature about 11 o'clock; this was about 5—5 or 6 o'clock, afterwards.

Senator BUTLER. After the Queen had retired from the Government building to the palace?

Mr. YOUNG. Yes. She had gone to the palace about 1 o'clock, after the reception.

The CHAIRMAN. This collection of the people around the palace relates to the palace of Iolani?

Mr. YOUNG. Yes.

The CHAIRMAN. Not to the Government building?

Mr. YOUNG. Not to the Government building.

The CHAIRMAN. After the prorogation of the Legislature the Queen went to her palace?

Mr. YOUNG. Yes. She has a place on Beretania street.

The CHAIRMAN. How far is the Queen's palace from the Legislature?

Mr. YOUNG. About 300 to 400 yards.

The CHAIRMAN. What time did you get on board ship that evening?

Mr. YOUNG. About a few minutes before 12 o'clock.

The CHAIRMAN. In the meantime had you received any instructions from Captain Wiltse?

Mr. YOUNG. I simply received a return message to a message from me, telling me to continue and get all the news I could.

The CHAIRMAN. Was that a verbal message?

Mr. YOUNG. Yes.

The CHAIRMAN. Not in writing?

Mr. YOUNG. Not in writing.

Senator FRYE. Have you completed your statement of the information you secured up to the time you went back aboard ship?

Mr. YOUNG. Yes, that is about the whole of it.

The CHAIRMAN. That was on Saturday?

Mr. YOUNG. Yes.

Senator GRAY. The 14th of January?

Mr. YOUNG. The 14th.

The CHAIRMAN. Did you report to Capt. Wiltse when you got back?

Mr. YOUNG. Yes.

The CHAIRMAN. Did you give him information of what you had seen after you got on shipboard?

Mr. YOUNG. Yes.

The CHAIRMAN. As you have stated it here?

Mr. YOUNG. Yes.

The CHAIRMAN. Did you state to Capt. Wiltse that peace could have been preserved without the intervention of the troops?

Mr. YOUNG. Yes; I told him there would be no trouble that day, but it would come; that from the temper of the people if the Queen attempted it there would be an uprising. I had heard conversations to that effect all over the city, even by her own adherents.

The CHAIRMAN. How long did you remain on board ship before you returned on shore?

Mr. YOUNG. Until Monday afternoon, when I returned with the battalion.

The CHAIRMAN. Were you in command of any part of the battalion?

Mr. YOUNG. Yes, the artillery.

The CHAIRMAN. What time did you get orders?

Mr. YOUNG. At about half past 10 o'clock I was on duty—we were washing down ship after the cruise—about half past 10 Capt. Wiltse sent for me and told me the condition of affairs and what he had heard, and it looked like they were going to have trouble; that the govern-

ment could not under any circumstances protect life and property, and that he felt that he would have to land the troops. He asked me how long I would be before I could land two Gatling guns and two 37 revolving cannon. I told him, a half hour. He said, very well, and told me to look around and see that everything was all right, "I think I will have to land the troops." I remarked to him, "I think they should have landed the evening before from what I heard," and he said he did not want to do it until it was necessary. I got one Gatling gun and one 37 R. C. and a caisson of ammunition all ready to land.

Shortly afterward I was sent for by Capt. Wiltse, and Capt. Wiltse always took me in his confidence in pretty nearly everything he did. He closed his door and read me his confidential letter of instructions from the Department and also from Admiral Brown. We discussed the matter, and he stated under the circumstances—he wanted to discuss the matter with me—I made the remark that in case we landed we would have to be very careful or we would be accused of taking part with one side or the other.

The CHAIRMAN. The letter from the Department of which you speak was from the Navy Department?

Mr. YOUNG. Yes.

The CHAIRMAN. Where was Admiral Brown?

Mr. YOUNG. Admiral Brown was on the *San Francisco* and in command of that station at the time of delivering his instructions.

The CHAIRMAN. Where was Admiral Brown at the time?

Mr. BROWN. I think Norfolk, Va., at the time. When he left Honolulu he left instructions with Captain Wiltse, as the admiral in command of the station, to be followed out in his absence.

The CHAIRMAN. These papers were read to you?

Mr. YOUNG. Yes.

The CHAIRMAN. Have you any copies of them?

Mr. YOUNG. No.

The CHAIRMAN. Would the ship's papers show copies of them?

Mr. YOUNG. No, they were not in Capt. Wiltse's letter book. They are of a confidential nature and were kept locked up in a separate drawer. They could be found in the Department, I suppose, with the official papers of the ship.

The CHAIRMAN. Can you remember the instructions of the Navy Department to Capt. Wiltse?

Mr. YOUNG. They are extracts from the confidential instructions that were sent to Minister Stevens.

The CHAIRMAN. By whom?

Mr. YOUNG. By the State Department. I do not remember the gist of them. We discussed the landing more than we did the paper. My recollection is that the paper stated that you will use every means and endeavor to act in concert with the minister to preserve and protect our treaty rights with the Sandwith Islands, even if necessary to use force. My recollection is that is about the gist of it.

The CHAIRMAN. Now, the instructions given by Admiral Brown?

Mr. YOUNG. Simply a memorandum of the instructions of a similar nature, and also to land the forces once a week for drill and exercise; that they had permission from the Government to land the men under arms for that purpose?

The CHAIRMAN. At Honolulu?

Mr. YOUNG. Yes.

The CHAIRMAN. Had there been drills of that kind?

Mr. YOUNG. Every week. We landed once a week on the permission of the Government and used the baseball grounds. They drilled there often, and a great many people came down to see them. It seemed to be a kind of pleasure to the inhabitants of the city when things were favorable. We had one of the best battalions I have ever seen.

The CHAIRMAN. What is the strength?

Mr. YOUNG. Three companies of blue jackets, one of artillery, and one of marines, making 154 all told, and about 10 officers.

Senator BUTLER. How many marines?

Mr. YOUNG. Thirty-two marines, I think.

The CHAIRMAN. What time did you leave ship?

Mr. YOUNG. About 5 o'clock—I suppose about a quarter of 5. We were ordered to land at 4, and our battalion was gotten together immediately after dinner, which was between 12 and 1. That was Monday, the 16th. On Saturday the Legislature was prorogued; on Sunday the agitation was kept up, and on Sunday night the volunteer forces around town began to arm.

Senator BUTLER. Were you on shore then?

Mr. YOUNG. Yes, sir; on Saturday and Saturday night. They met at two rendezvous, I was informed, one on Emma street and the other on Nuuana avenue.

Senator FRYE. They were the Provisional Government's volunteers?

Mr. YOUNG. I never heard of any Provisional Government or intimation of it until Monday morning.

Senator FRYE. They were the whites?

Mr. YOUNG. They were the whites armed, as I understood, to protect themselves against the promulgation of the new constitution, which constitution, I was told, deprived them of all rights and franchises.

Senator GRAY. Were you present at those rendezvous?

Mr. YOUNG. No; I was told about it by informants, and after by participants.

The CHAIRMAN. I want to know if any troops left the ship before the detachment which you commanded.

Mr. YOUNG. No; we landed in a body.

The CHAIRMAN. You went first?

Mr. YOUNG. Yes.

The CHAIRMAN. That was 5 o'clock in the evening?

Mr. YOUNG. Five o'clock in the evening. We got the men armed and equipped for heavy marching order—knapsacks and double belts of cartridges holding from 60 to 80 rounds. And I had the caisson filled, taking in all about 14,000 rounds of caliber .45 for the rifle and gatling, 1,200 rounds of caliber .38 for the revolvers, and 174 common explosive shells for the revolving cannon. Each one of these belts carried from 60 to 80 rounds. About 3 o'clock Minister Stevens came on board and was in consultation with Capt. Wiltse. The captain sent for the officers going with the battalion, and had a conference in his cabin.

The CHAIRMAN. Did you hear it?

Mr. YOUNG. Yes. Minister Stevens told the captain that there was a very large massmeeting that afternoon in the old armory on Beretania street, and they had agreed to support the report made by the committee of safety to abrogate the monarchy; and that there was a counter mass-meeting held by low whites and Kanakas in Palace Square, whose action indicated an opposition to them, and that these things indicated that trouble was to take place; that the committee of safety through him had asked Capt. Wiltse if he would land the troops to

protect life and property. He remarked to the captain that he need not apprehend any danger of being fired upon, because nothing of the kind had ever been done under any circumstances. After a few minutes Capt. Wiltse turned to him and said, "I have decided to land the troops already, and I will land them at 4 o'clock; they are all ready to land, and here is an order I have written to the commanding officer, Lieut-Commander Swinburn." The order was taken almost bodily from the confidential letter to Captain Wiltse.

Then one of the officers present made the remark, "Captain, in case there is a change in the situation and we should be attacked by any one of the contending parties how far are these orders to extend; what shall we do under such circumstances?" Capt. Wiltse then supplemented his written order by the verbal statement, "The situation is such that it will require a great deal of judgment on the part of you officers who are going on shore; you have been here a number of months, and know all the Americans and their property; that is what I want to protect, and I want you to be careful and remain as neutral as you can." Those were the oral instructions. Mr. Stevens then made the remark, "I am very glad you are going to land them, because I think it is absolutely necessary." Mr. Stevens then left the vessel and returned to the shore.

The CHAIRMAN. How far from the coast was the *Boston* at that time?

Mr. YOUNG. About a half mile. We were anchored, moored, at least, in what is known as the Naval row in the harbor.

The CHAIRMAN. Did you change the position of the ship?

Mr. YOUNG. No, not at all; she remained in the same position all the time.

The CHAIRMAN. Were the guns trained on the city in any way?

Mr. YOUNG. No.

The CHAIRMAN. When you came out how many boats did it require to bring your men, the whole detachment?

Mr. YOUNG. We could have brought them in fewer boats; but we divided them in platoons, and each platoon took a boat.

The CHAIRMAN. How many boats did it take?

Mr. YOUNG. Four companies making 8 platoons, and each platoon had a boat.

The CHAIRMAN. Were they landed in a body?

Mr. YOUNG. Yes, they formed immediately on getting on shore with the artillery in the rear.

The CHAIRMAN. Who was in command?

Mr. YOUNG. Lieut. Commander Swinburn, the executive officer of the ship.

The CHAIRMAN. Where was the company ordered to go?

Mr YOUNG. We had no definite point at all. We landed at Brewer's wharf, and marched up to the corner of Fort and Merchant streets, where the consul general's office was, and there left a marine company, which was to protect the American legation and consulate. The rest of the battalion turned and marched down King street in front of the palace, and as we passed the palace the Queen was standing on the balcony, when we gave her the royal salute by drooping the colors and four ruffles on the drums. We passed the palace 250 yards, and there waited until we could find some place to go into camp. We made an effort at first to get the old armory near the landing, so as to be near our base of supplies and throw out pickets in case of emergency. But we failed to get that, and then tried to get the opera house. They were the only two buildings near the center of the town, and not being able

to get them we went to the yard of a white man named Atherton, and there we bivouacked under the trees in the rain until 9.30 p. m, when the aid to Capt. Wiltse reported they had secured a little hall in the rear of the opera house, known as Arion Hall, which is used as a Mormon temple now, I believe. We marched there and went into camp.

Senator GRAY. Inside the building?

Mr. YOUNG. Inside the building; yes. And the yard was turned over to us also. I was detailed as officer of the day, and stationed my pickets and guards around inside the inclosure and not out. I then patroled myself in front the opera house, where I could get a view of the vicinity of the fortified police station and center of the city along King street and the cross street cutting in at Palace Place, also the vicinity of the Government barracks across the Palace Square, the approaches to the armory occupied by the revolutionary forces, and the grounds surrounding the Government buildings. I sent out men to get all the information that I could. I know that when we marched through town I never saw a policeman; but when I went outside to get men to obtain information for me, I was informed that the police to the number of about 80 were fortified in the station house, and 60 troops were in the barracks, all under arms, and afraid to come out.

The CHAIRMAN. The Queen's troops?

Mr. YOUNG. The Queen's troops. And there was nobody out on the streets to protect any one, to prevent incendiarism and pilfering. I had a full view down King street and of the approaches to this police station; also to the heart of the town down the other street, which puts in there from Fort street.

Senator BUTLER. Did you carry your artillery with you?

Mr. YOUNG. It was all in the park. From there I had a view down to the police station; and across here [indicating on diagram] I could see. Here [indicating] is the armory; that [indicating] is where the barracks are, where the Government troops were; they were stationed principally in the palace grounds. I heard them drilling all night long, giving orders. I could see across this square [indicating], and across this place here [indicating]. I could control down there [indicating]. There were 2 alarms during the night, fire alarms of an incendiary nature, and I called out the guards ready for action till I got information they were not needed. I sent off a courier to find out what this fire was, and finding it was not American property I made no further move, but returned the guard to their quarters.

The CHAIRMAN. How far away from the camp were those fires?

Mr. YOUNG. One on Emma square, which is about two squares off; the other on Beretania street, about a mile off. I have no doubt that the drawing up of the guard inspired confidence among the people. The Government troops were 80 and 60, and those were all the troops they ever had at any time. Mr. Wilson showed me a statement where he claimed that he had 800 men. I told him that I had been informed by participants, and I had verified their statements, that he had only 80 and 60, and he laughed and told me of course he had not that number; but he had appointed a number of men around town as spies, who gave information, and he knew a lot of Kanakas he could call in to make up the number. He never had but 80 and 60 under his command.

Senator FRYE Of the Queen's guard and police?

Mr. YOUNG. Queen's guard and police. At the same time there were 175 men under arms of the volunteer force. They were quartered in the appointed rendezvous on Emma street and at the old armory, and 50 more down at the other rendezvous on Nuuana avenue.

Senator BUTLER. How many men did you land?

Mr. YOUNG. We landed 154 men and 10 officers.

The CHAIRMAN. Who had command of the troops at the Queen's palace.

Mr. YOUNG. Nowlein.

The CHAIRMAN. They were the Queen's army?

Mr. YOUNG. Yes.

The CHAIRMAN. She had no other army but that?

Mr. YOUNG. No.

The CHAIRMAN. Who had charge of these troops at the police station?

Mr. YOUNG. Wilson, the marshal.

The CHAIRMAN. He was commander in chief, next to the Queen?

Mr. YOUNG. Yes. The Attorney-General was over him; but he was at the head of the troops.

The CHAIRMAN. I suppose you took rations with you over to the camp?

Mr. YOUNG. Yes. We took only enough to last that evening, and we detailed cooks the next morning to send our rations from the ship.

The CHAIRMAN. Already cooked?

Mr. YOUNG. Yes.

The CHAIRMAN. How soon after getting there did you first see Capt. Wiltse on shore?

Mr. YOUNG. I saw Capt. Wiltse in the evening, just shortly after we arrived at Arion Hall, and I had some little talk with him.

Senator BUTLER. Did he appear in full uniform?

Mr. YOUNG. Yes; he was in uniform at all times. In conversation he intimated to me that he supposed he would have to follow out all other precedents in order to prevent any incendiarism, pilfering, injury to life and property, and would have to stop all fighting in the streets.

The CHAIRMAN. Did Capt. Wiltse go back on shipboard that night?

Mr. YOUNG. Yes.

The CHAIRMAN. When did you again see him there?

Mr. YOUNG. The next morning—next forenoon.

The CHAIRMAN. Did he make any change in his orders the next day?

Mr. YOUNG. None at all.

The CHAIRMAN. Where did you remain on Tuesday?

Mr. YOUNG. In Arion Hall two days, and then we went down to the old Bishop building, on King street, not over 300 yards from there. Arion Hall was only a temporary affair, because we could not get anywhere else.

The CHAIRMAN. How long did the troops remain at Camp Boston?

Mr. YOUNG. I left with a contingent of the artillery on the 3d of February; then there was one company on the 4th of March returned to the ship and the rest reembarked on the 1st of April.

The CHAIRMAN. Under whose orders did you leave?

Mr. YOUNG. Under the orders of Capt. Wiltse.

The CHAIRMAN. From whom did he receive orders?

Mr. YOUNG. No one at all. He was the senior officer present.

The CHAIRMAN. He did not receive any instructions from Mr. Blount?

Mr. YOUNG. He was not there then. Admiral Skerrett received instructions from Mr. Blount?

The CHAIRMAN. That was later.

Mr. YOUNG. That was the last of April.

Senator BUTLER. At what time did Admiral Skerrett arrive there?

Mr. YOUNG. Admiral Skerrett arrived somewhere about the middle of February.

Senator BUTLER. The San Francisco was his flagship?

Mr. YOUNG. The Mohican was his flagship; and after the Mohican left he transferred his flag to the Boston, and then to the Philadelphia after it arrived to relieve the Boston.

The CHAIRMAN. These troops remained how long on shore?

Mr. YOUNG. The first were withdrawn on the 3d of February. We landed on the 16th of January, and remained there until the 3d of February, when I withdrew, went on board with the main portion of the artillery; another company left about the middle of March, and all of them were withdrawn on the 1st of April.

The CHAIRMAN. Who was in command of the fleet there at the time these respective detachments were withdrawn?

Mr. YOUNG. Admiral Skerrett.

The CHAIRMAN. All the time?

Mr. YOUNG. No. I returned on board with the artillery before Admiral Skerrett arrived.

The CHAIRMAN. Under the orders of Captain Wiltse?

Mr. YOUNG. Yes. After Admiral Skerrett arrived I landed with my men and junior officer for inspection, and returned on board the same day.

The CHAIRMAN. Did you land for the purpose of inspection?

Mr. YOUNG. That is all.

The CHAIRMAN. And did not go into camp?

Mr. YOUNG. No.

The CHAIRMAN. These troops under Admiral Skerrett remained there how long?

Mr. YOUNG. Until the 1st of April, when they were ordered to return aboard ship by Mr. Blount.

The CHAIRMAN. Those were the last of the troops?

Mr. YOUNG. Yes.

The CHAIRMAN. Before that they had been returned in detachments?

Mr. YOUNG. Yes.

The CHAIRMAN. What men returned on the 1st of April?

Mr. YOUNG. A company of blue jackets and company of marines that were still on shore.

The CHAIRMAN. On the 1st of April?

Mr. YOUNG. Yes.

The CHAIRMAN. When you got to Camp Boston did you erect a flagstaff?

Mr. YOUNG. Yes.

The CHAIRMAN. That was to indicate that it was the camp of the American troops?

Mr. YOUNG. Yes; and also closed all the approaches to it, and no man was allowed out of that camp without leave of absence, except the officers, and they had to be in by 9 o'clock at night. We simply confined ourselves to that camp, and confined the men there.

The CHAIRMAN. You had strict military discipline?

Mr. YOUNG. Military discipline, and drills there the same as any camp. Late in the evening we would go down to Palace Square, where we would have more room, for dress parade, and were witnessed by everybody. After we first went into Camp Boston we sent out a grand guard—that is, a company in one direction and then in another—for the purpose of seeing that American property had not been injured or

touched, and also to prevent any incendiarism or anything of that nature.

Senator GRAY. Let the people know that you were there?

Mr. YOUNG. Yes; which we had done on all occasions of that nature.

Senator BUTLER. Did you send out a detachment to patrol over the city at any time?

Mr. YOUNG. No; no patrol beside that.

Senator BUTLER. Beside the grand guard?

Mr. YOUNG. No.

Senator BUTLER. No separate patrol?

Mr. YOUNG. No; they were the only ones.

The CHAIRMAN. Did you post any sentinels over the city—over the buildings?

Mr. YOUNG. None until the protectorate was declared and the flag was raised over the Government building, when we left a marine guard there. That was to protect the building; nothing to do outside. All the police duty was done by the Provisional troops; all our marines remained in the camp.

The CHAIRMAN. Where was their camp?

Mr. YOUNG. Inside the legislative hall. They took that for their barracks.

Senator BUTLER. What troops were those?

Mr. YOUNG. The company of marines.

Senator GRAY. They were camped in the Government building?

Mr. YOUNG. Yes.

Senator GRAY. When did they go there?

Mr. YOUNG. When they hoisted the flag. When the flag was hoisted I have forgotten now; I think it was the 1st of February.

Senator GRAY. You mean the American flag over the Government building.

Mr. YOUNG. Yes; and the staff is there still, not taken down.

The CHAIRMAN. During the time that this guard of marines remained at the Government building, were the offices there occupied by the Provisional Government?

Mr. YOUNG. Yes.

The CHAIRMAN. Was there any guard of the Provisional Government there?

Mr. YOUNG. Yes; they did all the guard duty out in the yard.

The CHAIRMAN. Where did the marines do guard duty?

Mr. YOUNG. Only right there, in their own quarters. They had no sentries out, to my recollection. There was an orderly kept in front of the building.

The CHAIRMAN. By whose order was that flag put up at the Government building, and on what day?

Mr. YOUNG. It was put up by the order of Capt. Wiltse, and our men did it. There was a proclamation issued declaring a temporary protectorate, etc., signed by the minister and approved by Capt. Wiltse. It was read by the adjutant at the time of raising the flag, and immediately the *Boston* fired 21 guns, with no flag exhibited at the masthead. In firing a salute we always have the flag of the nation we salute at the masthead.

The CHAIRMAN. What was the cause of firing this salute?

Mr. YOUNG. To salute our flag.

Senator GRAY. If you had been saluting the Hawaiin Government you would have had the Hawaiian flag at the masthead?

Mr. YOUNG. Yes.

The CHAIRMAN. At the time you fired this salute there was a protectorate proclaimed?

Mr. YOUNG. Yes; a temporary one.

The CHAIRMAN. Signed by the minister and approved by Captain Wiltse?

Mr. YOUNG. Yes.

The CHAIRMAN. And read to the troops at Camp Boston?

Mr. YOUNG. No; we left Camp Boston at 8:30 and were drawn up in line at the Government building when the flag was hoisted.

The CHAIRMAN. What day was that?

Mr. YOUNG. The 1st of February. There were Provisional troops that flanked our troops on the left and rear.

Senator BUTLER. Do you know whether Capt. Wiltse reserved a copy of that proclamation?

Mr. YOUNG. Undoubtedly. It would be in his letter book.

The CHAIRMAN. Do you remember the substance of the proclamation?

Mr. YOUNG. I have forgotten exactly how it started, but the gist was "Hereby declare a temporary protectorate over the Hawaiian Islands, pending negotiations in Washington."

The CHAIRMAN. Was there any change in or withdrawal of that proclamation between that time and the time that Mr. Blount directed the troops to go aboard ship?

Mr. YOUNG. None at all; remained in that situation until Mr. Blount ordered the troops aboard ship and ordered Admiral Skerrett to haul down the flag.

The CHAIRMAN. What was the state of the public mind during this period of the occupancy by the United States troops from the time the flag was raised until it was withdrawn? I speak now in respect of the arrangement of the people there—whether there was any excitement or irregularity.

Mr. YOUNG. While it was hoisted there was no irregularity or disturbance, nor did I hear any but favorable comment about it.

The CHAIRMAN. What do you estimate, or do you know anything about it, the military strength of the Provisional Government at the time that flag was ordered returned on board ship by Mr. Blount?

Mr. YOUNG. They had 100 men under pay; they had an artillery company of 60 men, volunteers; they had two companies of volunteers, consisting of about 30 men to the company, and then they had what they called a home guard. That was composed of the leading citizens all around town, divided up into corporals' squads, and each squad had its rendezvous at different places in the city. The man in command of them showed me his books and he had 400 names on them.

Senator BUTLER. That was the home guard?

Mr. YOUNG. Yes.

The CHAIRMAN. Was the home guard armed?

Mr. YOUNG. Yes.

The CHAIRMAN. Taking the whole mass together, what would be the whole number of the armed forces?

Mr. YOUNG. I should say, between 700 and 800.

The CHAIRMAN. Was there any artillery?

Mr. YOUNG. Yes; four pieces of artillery, breech-loaders, and also four Austrian guns.

The CHAIRMAN. Any others?

Mr. YOUNG. Two short Gatling.

Senator BUTLER. No horses, I suppose, for the battery?

Mr. YOUNG. No. The large pieces were intended for horses, but they moved them by drag ropes.

Senator BUTLER. They were moved by hand?

Mr. YOUNG. Yes; drag ropes. I wrote the drill they have, at their request; a little friendly act.

The CHAIRMAN. Did you take any charge of these troops?

Mr. YOUNG. No, not at all.

The CHAIRMAN. After the United States troops were withdrawn on shipboard, on the 1st of April, I will ask you how long you stayed there after the 1st of April.

Mr. YOUNG. In Honolulu?

The CHAIRMAN. Yes.

Mr. YOUNG. Until the 26th of September last.

The CHAIRMAN. During that period of time was there at any time any outbreak amongst the citizens?

Mr. YOUNG. There was no outbreak; but one evening there was a disturbance between some Japanese contractors and laborers. About 400 of them came into town one evening armed with their machetes from the plantation, and they were instigated to it by some of the adherents of the Queen, who told them that in case the United States had anything to do with these islands their contracts would be perpetual and they would be slaves the rest of time.

Senator BUTLER. Who were they?

Mr. YOUNG. Contractors and laborers on estates about 20 miles from Honolulu. And the people had a great deal of apprehension from these Japanese, and finally the Japanese minister sent a vessel down to Hawaii to put a stop to these movements.

The CHAIRMAN. When you got back to Honolulu from this cruise to Hilo and Lahaina, what ships did you find in the bay—ships of war?

Mr. YOUNG. I do not think there was but one man-of-war, and that was the Japanese school ship *Congo*.

The CHAIRMAN. Did any come in afterwards?

Mr. YOUNG. Yes, the *Naniwa*, a Japanese cruiser, came in afterward. That is the vessel whose model we took to build the *Charleston* by. It is exactly the same, except that the *Charleston* is a heavier beam, larger by an inch in beam.

Senator BUTLER. A pretty formidable ship?

Mr. YOUNG. Yes. She was built by Armstrong, of England.

The CHAIRMAN. How many others?

Mr. YOUNG. An English ship, the *Nymphe* came. I think it was the *Nymphe*. She remained about two or three weeks. That was before the revolution. There was another English vessel there. I have forgotten her name. I know Capt. McArthur was in command. They passed on south. They only remained in the harbor a few days.

Senator BUTLER. Were they ships of war?

Mr. YOUNG. Yes; gunboats—English gunboats.

Senator BUTLER. Were you present when the flag was hauled down on the 1st of April?

Mr. YOUNG. I was on board ship.

Senator BUTLER. You were not on shore?

Mr. YOUNG. No.

Senator BUTLER. Did you go on shore after that?

Mr. YOUNG. Yes.

Senator BUTLER. Was there any demonstration at all by the people of the town?

Mr. YOUNG. There was no demonstration of any forces at all; but I

heard a great many people, particularly the leading ones, make the remark that they were afraid it would give them a great deal of trouble, and they were afraid in the event of other vessels coming in they might land some forces in the city.

Senator BUTLER. What do you mean? Some foreign government?

Mr. YOUNG. Foreign government; yes. Their expression was that they did not feel secure under the situation.

Senator BUTLER. No other troops were landed from foreign vessels?

Mr. YOUNG. They made an effort to; but the Government declined to let them land—the Japanese and the English Governments—for the purpose of drilling; but they declined to allow them.

The CHAIRMAN. You mean that the Provisional Government declined to allow them?

Mr. YOUNG. Yes.

Senator BUTLER. When was that?

Mr. YOUNG. Along about the last of January or early in February.

Senator BUTLER. Did they ask permission to land to drill?

Mr. YOUNG. Yes.

The CHAIRMAN. And the Government declined to grant it?

Mr. YOUNG. Yes.

Senator BUTLER. And they did not land?

Mr. YOUNG. No.

The CHAIRMAN. State whether during the fifteen or sixteen days of January, and before the troops went ashore from the *Boston*, there was any offer on the part of Capt. Wiltse to send troops ashore which had been rejected by the Provisional Government?

Mr. YOUNG. No.

The CHAIRMAN. Nothing of that sort occurred?

Mr. YOUNG. No. We had been landing troops once a week for drill.

The CHAIRMAN. Do you know what time the first request of Minister Stevens was received by Capt. Wiltse in regard to landing the troops?

Mr. YOUNG. The only information I have of any request at all of Capt. Wiltse was at 3 o'clock on Monday, after the battalion was ready to land.

The CHAIRMAN. That was after Minister Stevens came on board?

Mr. YOUNG. Yes.

Senator FRYE. Mr. Stevens came after Capt. Wiltse had given orders?

Mr. YOUNG. Yes.

Senator BUTLER. Am I to understand you as saying that Capt. Wiltse pursued that course because of orders received from Admiral Brown?

Mr. YOUNG. No. Because of the condition of things on shore, of which he received information at the time. There were two mass-meetings, in opposition to each other, at the time.

Senator BUTLER. I thought you had referred to some secret instructions which Captain Wiltse had received from Admiral Brown, and which were substantially the instructions which he had received from the Navy Department?

Mr. YOUNG. Yes; his instructions were substantially those received from Admiral Brown.

Senator BUTLER. But the instructions under which he acted were received from the Navy Department?

Mr. YOUNG. The Department; yes. No; his instructions——

Senator BUTLER. I am speaking of the time you went ashore on the 16th of January.

Mr. YOUNG. He simply landed on his own responsibility. We had no orders to land, except that Capt. Wiltse's confidential instructions were to protect our treaty interests even if force was necessary.

Senator BUTLER. And Capt. Wiltse was to be the judge as to when that exigency arose?

Mr. YOUNG. Yes.

Senator GRAY. When you were summoned to Capt. Wiltse's cabin on the morning of the 16th, which was about half-past 10, you say?

Mr. YOUNG. Yes.

Senator GRAY. Did he make any statement.

Mr. YOUNG. No. He told me that affairs were looking very serious on shore, and "I believe I will have to land the troops."

Senator GRAY. Capt. Wiltse had been ashore that morning?

Mr. YOUNG. Yes. It was shortly after he came back from the shore.

Senator BUTLER. I believe it is true that a naval officer is not bound to obey an illegal order. Is not that so under your regulations?

Mr. YOUNG. No; on the contrary, an officer is supposed to obey all orders emanating from an immediate military superior. Yet in doing so he has to exercise discretion and is held personally responsible for his own acts as to the results following the execution of the order. Admiral Worden in giving an interpretation of that at the Naval Academy told us that "whenever you receive an order, before executing it determine whether you will receive more punishment for obeying that order than you would by disobeying it. If you find that you will receive less punishment by obeying it, do so." I think the admiral was right.

Senator BUTLER. What I want to get at is this: If you are in command of a ship at a foreign port with general instructions, as in this case, to protect treaty rights of this Government with the foreign government, and you are in doubt as to the propriety of landing troops, you solve that doubt in favor of landing?

Mr. YOUNG. I would try to find out the situation, weigh the matter all over, and I would have that doubt removed before I acted.

Senator BUTLER. Suppose the condition were such that you could not have an absolute removal?

Mr. YOUNG. Then I would give the benefit of my judgment as to landing.

Senator BUTLER. That is what I want. You would solve that doubt by landing for the purpose of preserving treaty rights?

Mr. YOUNG. Yes.

Senator BUTLER. That would be the usual course of a naval officer where he was in doubt?

Mr. YOUNG. Yes.

Senator BUTLER. And where there was no possibility of solving the doubt in his mind, he would land for the purpose of protecting life and property?

Mr. YOUNG. Yes.

Senator BUTLER. Would that be the rule of the naval officer?

Mr. YOUNG. Yes; I think it would.

Senator BUTLER. And I suppose that was about Captain Wiltse's situation, was it not?

Mr. YOUNG. No; Capt. Wiltse was actually informed, knew himself, and from others, that the condition of affairs on shore was such as to render it necessary for him to land at that time. And I think he made a mistake in not landing on Sunday, because of the condition of dan-

ger to life and property and incendiarism. It was such on Sunday night, even; but he deferred it until the very last minute. The Government was not in any condition to preserve life and property in the city; they were encamped in these two places, and they were afraid to come out of them.

Senator FRYE. I want to call your attention to the time that you left Honolulu on the ship, the 4th of January, with our American minister on board. You had a conversation with Minister Stevens, did you not?

Mr. YOUNG. Yes.

Senator FRYE. Did Mr. Stevens at that time express himself as confident that there was no further trouble, and that he was to be permitted to terminate his term of office and leave the Hawaiian Islands in quiet and undisturbed peace?

Mr. YOUNG. Yes; his language to me on the quarter-deck in conversation I remember almost verbatim. It was that "I am glad to know that all is settled, and that we now have a cabinet in power in favor of the American interests, representing the intelligence and wealth of the islands, and that they will stay there, and that I will be able to complete my residence here and devote my days to my literary interests." Those were his remarks. And Sam Parker and others, I told him, would get the Kanaka votes of the Legislature; that they had been all secured, and they were now making an effort to get some of the whites to vote with them to make a majority to vote out this ministry, and I believed they would vote them out before the Legislature adjourned. Mr. Stevens said, "I do not see how they can do it; they have come in to stay during this Legislature and the next, and they will look out for American interests." Those were, as nearly as I can remember, his remarks, and I think almost verbatim.

Senator FRYE. When you landed the troops, did you land them with any intention to aid either party?

Mr. YOUNG. Not at all.

Senator FRYE. Were you invited to aid either party?

Mr. YOUNG. No. We were asked by President Dole. He sent over and asked Capt. Wiltse to recognize him.

The CHAIRMAN. When was that?

Mr. YOUNG. After they formed the Government, and on the same day.

The CHAIRMAN. When was it?

Mr YOUNG. The 17th. I was sent over with a message from Capt. Wiltse, with his compliments to President Dole, to ask him if he had absolute control of the Government, police force, and everything, and if he did not, he, Capt. Wiltse, would have nothing to do with them. I told Capt. Wiltse that Judge Dole had possession of the archives and Government building, but that President Dole said, "We have not control of the military forces and police, but we have a sufficient force to maintain us," and that I replied, "If you have not charge of the Government, I am requested to inform you that we can have nothing to do with you," and I returned and reported to Capt. Wiltse.

Senator FRYE. When you were taken to Arion Hall, that was the only place you could go?

Mr. YOUNG. Only for that evening.

Senator FRYE. It was only a temporary occupancy?

Mr. YOUNG. Yes.

Senator FRYE. Were any of your soldiers allowed outside of the hall to parade the square or anywhere else?

Mr. YOUNG. Not at all, confined exclusively to the camp.

Senator FRYE. You remember the situation of Arion Hall, the Government buildings, etc. Mr. Blount in his report—I do not know whether it was his opinion—says that it was impossible for the royalist troops to make any attempt to dislodge the people from the Government building without shooting your troops. Was that true at all?

Mr. YOUNG. They could have fought all they pleased out in Palace Square and out in the Government grounds without ever affecting us in the slightest. But I doubt if we would have allowed them to fight out on the street down below, from the way Capt. Wiltse spoke. This American property in front of us, the Opera House, is owned by Americans, and all the residences off to the left was American property and some to the right of the palace was American property.

Senator FRYE. From your observations when you were sent ashore for the purpose of observing, was not there a necessity, regardless of any request made by the Provisional Government or American minister, for the landing of the troops to protect American life and property?

Mr. YOUNG. It was absolutely necessary, and I thought it was so on Sunday evening.

The CHAIRMAN. Allow me to ask you right there, had you ever been in Honolulu before?

Mr. YOUNG. No; this was my first visit there. But I have landed from the ship on a good many occasions, and we simply did here what we have done before in other places.

The CHAIRMAN. In what other places?

Mr. YOUNG. In Panama and Venezuela; and I also landed in Nicaragua once.

The CHAIRMAN. You speak now of occasions when you were present?

Mr. YOUNG. Yes.

Senator FRYE. I do not know but that I misunderstood your language. You said in your testimony—I understood you to say—that Mr. Blount ordered Admiral Skerrett to haul down the flag?

Mr. YOUNG. And to return the troops on board the ship.

Senator FRYE. Did you mean that Mr. Blount gave an order to an Admiral of the United States Navy to do that?

Mr. YOUNG. He gave a written order to that effect.

Senator FRYE. Signed by himself?

Mr. YOUNG. Signed by himself, and Admiral Skerrett's order to the *Boston* was in obedience to the orders of Commissioner Blount—"You will return troops on board ship by 11 o'clock."

Senator FRYE. In your experience did you ever know a minister of the United States with or without the authority of the Secretary of the Navy or officer of the Navy giving orders to an admiral?

Mr. YOUNG. No; I never heard of it before. A minister has no authority to give orders to an admiral while a ship is in any port.

Senator FRYE. Under the regulations of the Navy, if a ship is in Honolulu, the disposition of the ship and the landing of the troops is entirely with the discretion of the officer in command?

Mr. YOUNG. He is absolutely responsible for his own acts.

Senator FRYE. And he cannot be compelled to land troops by any one except a superior officer?

Mr. YOUNG. A military superior.

Senator GRAY. I suppose if you got an order from the President of the United States.

Mr. YOUNG. He is commander in chief of all the military forces.

The CHAIRMAN. Suppose that that order emanate from the minister plenipotentiary at a foreign port?

Mr. YOUNG. Then the commanding officer would be held absolutely responsible for his own act if he obeyed.

Senator GRAY. Suppose he receive instructions from the Secretary of the Navy in a given emergency, given time, to conform his action to the order, if you please, of a person holding diplomatic relations with the Government, would that relieve him of responsibility?

Mr YOUNG. No.

Senator GRAY. It would not?

Senator BUTLER. Do you mean to say that if the officer obeyed his orders through a civil officer, he would not be relieved of responsibility?

Mr. YOUNG. If it was a written order accompanied by the minister's direction, he would still exercise his own discretion.

Senator GRAY. If he receive instructions from the Secretary of the Navy that he must act under the order, advice, whatever you might call it—of the diplomatic person on shore when that request, order, or advice come?

Mr. YOUNG. Still I do not believe it would relieve him entirely.

Senator GRAY. Then you do not believe that the President of the United States is commander-in-chief?

Mr. YOUNG. Yes; and that the Secretary of the Navy is the immediate military head of the Navy.

Senator GRAY. When you receive an order by the Secretary of the Navy through the minister, do you not understand that the order is from the President of the United States?

Mr. YOUNG. Yes.

Senator GRAY. And yet you say receiving such order, direction, or instructions from the Secretary of the Navy in a given contingency, you are not bound to obey?

Mr. YOUNG. Of course we must obey the Secretary's order, but the channel through which it is received would question its authenticity; the officer in command is not freed of his responsibility.

Senator GRAY. I mean, the Secretary of the Navy having in general directions sent to the commander of a ship instructing him when a certain contingency arises—not commanding through the usual channel, but through any channel through which the instructions come—would you consider that he should obey it?

Mr. YOUNG. Yes; I would consider that he should obey it, so far as it does not involve the loss of life, the destruction of property, or precipitate war.

Senator FRYE. Suppose the Secretary of the Navy should order Capt. Wiltse under any contingencies to follow the discretion and obey the orders of William P. Frye, who was then resident in the island of Hawaii, would Capt. Wiltse be bound by that order at all?

Mr. YOUNG. He would be compelled to exercise a great deal of judgment in the matter, and would be still held responsible for his acts.

Senator BUTLER. I understand you to make this distinction—which, of course, any military man understands at once—that an order emanating from civil officers, whether diplomatic or any other civil branch of the Government, to a military or naval officer, that military or naval officer is not bound to obey it; and if he do, it would be on his own responsibility?

Mr. YOUNG. Yes.

Senator BUTLER. On the other hand, if the Secretary of the Navy, who is the military head of the Navy, transmits an order to a naval officer, if he be on the ship, he would be bound to obey?

Mr. YOUNG. He would be bound to obey it. At the same time, if he

order me to fire on the town, I should not obey any such order unless I was clearly informed of the necessity.

Senator BUTLER. That is an extreme case.

Mr. YOUNG. But I would obey the order of any minister or civil officer of an ordinary nature to avoid friction where it would not involve the loss of life or destruction of property.

Senator BUTLER. If you should receive an order from the Secretary of the Navy to fire on a town?

Mr. YOUNG. I would fire; I would not hesitate a minute, not the slightest; but if it were sent through an improper channel I would have to see it in writing and the signature to it as well as satisfied of the necessity for so doing.

Senator BUTLER. That is a matter of discretion.

Senator GRAY. It would be the exercise of a good deal of discretion if the President of the United States, or the Secretary of the Navy, were to give him an order and he should refuse to obey it.

Mr. YOUNG. Of course, if the President should give me an order to organize a body guard for his protection or move a ship, etc., I would undoubtedly obey it; yet should he order me to shoot an inoffensive citizen, I would disobey, for the reason that disobeying would involve dismissal only, whereas, if I shot the man, the civil courts would try me for murder, and being adjudged guilty I might be hanged, unless the President were in office to pardon me.

Senator GRAY. About this instruction from Mr. Gresham to Mr. Blount: "To enable you to fulfill this charge." This is the language of the Secretary of State in his letter of instructions to Mr. Blount.

"To enable you to fulfill this charge your authority in all matters touching the relations of this Governmont to the existing or other Government of the islands, or protection ot our citizens therein, is paramount, and in you is vested full discretion and power to determine when such forces should be landed and withdrawn."

Now, suppose as commander-in-chief of a ship you got an instruction from the Secretary of the Navy in which you informed that such an instruction were given by the President to the minister, and that you were to conform yourself thereto, and the minister should request you to land the forces—ordered you; whatever you may call it—advised you, would you consider yourself bound to obey?

Mr. YOUNG. I would do it, for the simple reason that it would not involve any loss of life or property, and if I disobeyed it I would receive a greater punishment than if I obeyed it.

Senator FRYE. You would still hold that it was in your discretion?

Senator GRAY. What discretion?

Mr. YOUNG. Whether it involved any loss of life or destruction of property which would hold me accountable for my acts.

The CHAIRMAN. Suppose the orders came through the channel spoken of by Mr. Gray, and you were ordered to fire on Honolulu, would you do it?

Mr. YOUNG. No.

Senator GRAY. That is not what I have called for.

The CHAIRMAN. I did.

Senator GRAY. Whether your punishment was greater if you obeyed or if you disobeyed?

The CHAIRMAN. What we are discussing here is a question of law, as to how far the President can delegate his authority to a private citizen to take command of troops on ships in the strict military sense, and to use them for the purpose of hostility.

Senator GRAY. The question was raised not by me whether it be proper. I am anxious to find out what the opinion of representative naval officers may be. Lieut. Young is in that respect an important witness. I do not mean that this matter is to be settled by a naval officer, because it is a question of law. I did not introduce it, but I really want to know whether the lieutenant thinks, as a naval officer, that his discretion (which is a wide one under certain circumstances) extends so far as to disobey the instructions of the Secretary of the Navy where those instructions involve cooperation with a diplomatic officer on shore, or, taking the very language of these instructions to Commissioner Blount, whether he thinks he would be authorized, if he were in command of a ship, to disobey the request, order, or advice given to him after receiving notice from the Secretary of the Navy that he was to obey such instructions either to land or to withdraw troops.

Mr. YOUNG. I would obey the order just the same as Admiral Skerrett did.

Senator FRYE. And when you hauled down the flag, I suppose you would say, as Admiral Skerrett did, "I do it in obedience to Mr. Blount's orders?"

Mr. YOUNG. That is what was done, I believe.

Senator GRAY. And if you put the flag up, you would say, "I did it in obedience to Mr. Stevens' orders?"

Mr. YOUNG. No.

Senator GRAY. What did you do?

Mr. YOUNG. We would not put it up under his orders.

Senator GRAY. I understood you to say that the protectorate was established by a proclamation made by Mr. Stevens and approved by Captain Wiltse?

Mr. YOUNG. Captain Wiltse approved and carried it out. The law requires a naval officer, immediately after arriving in a foreign port, to put himself in communication with the diplomatic representative in that port, and by intercourse, conversation, requests, or otherwise find out the absolute state of affairs and to act according to his own responsibility.

Senator GRAY. That is the ordinary rule when you go into a foreign port?

Mr. YOUNG. Yes.

Senator GRAY. Where the circumstances are not exceptional, but where the commissioner is under special directions from your Government, and through the ordinary channels of communication you receive from the naval authorities, from the President through the proper naval channels, orders to conform your action to certain requests that may be made by the minister, do you not think you would be obliged to obey it?

Mr. YOUNG. I would obey if it were an ordinary affair; but I would not consider it a legal order.

Senator GRAY. Do you think your duty as a naval officer in command of a ship in a foreign port in which a United States protectorate had been established would require you to-day to obey orders conveyed to you from the Government at Washington as to the continuance or discontinuance of that protectorate?

Mr. YOUNG. The continuance or discontinuance?

Senator GRAY. Yes.

Mr. YOUNG. Of course, I would have to obey the orders that were sent from the Department.

SWORN STATEMENT OF E. K. MOORE.

The CHAIRMAN. What was your duty on shipboard?

Mr. MOORE. I was navigator of the U. S. S. *Boston.*

The CHAIRMAN. In January, 1893?

Mr. MOORE. January, 1893; yes.

The CHAIRMAN. Before your cruise down to Hilo and Lahaina had you been ashore often?

Mr. MOORE. I had.

The CHAIRMAN. Were you acquainted with the state of public opinion then as to the political affairs of the Government in Honolulu?

Mr. MOORE. Somewhat; I can not say that I was thoroughly acquainted with the political status.

The CHAIRMAN. Did you observe any agitation or commotion amongst the people in respect to a change of government, or in respect to annexation, or any other matter that was of a serious character?

Mr. MOORE. This was before we went to Hilo?

The CHAIRMAN. Before.

Mr. MOORE. No, I did not. I heard annexation spoken of prior to our departure, and as far back as twenty years ago.

The CHAIRMAN. You were there at Honolulu twenty years ago?

Mr. MOORE. I was there twenty years ago this coming February; yes.

The CHAIRMAN. What ship were you on?

Mr. MOORE. The United States ship *Portsmouth.*

The CHAIRMAN. Under whose command?

Mr. MOORE. S. J. Skerrett, now Rear-Admiral.

The CHAIRMAN. What year was that?

Mr. MOORE. 1874; I was there the latter part of 1873 and early part of 1874.

The CHAIRMAN. Who was then King of Hawaii?

Mr. MOORE. In 1873, when I was out there, Lunalilo was King. In 1874, about the time of our arrival, February, 1874, David Kalakaua was elected King.

The CHAIRMAN. The agitation that occurred at that time was the controversy, as you understand it, over the election of Queen Emma as the successor of Lunalilo, or Kalakaua?

Mr. MOORE. It was.

The CHAIRMAN. Was there any commotion there at the time?

Mr. MOORE. There was great commotion.

The CHAIRMAN. Was it confined to the natives, or was it spread through all the community?

Mr. MOORE. There was considerable excitement and great interest through the entire community; but the rioting was confined entirely to the natives.

The CHAIRMAN. Was the riot before or after the determination of the election of Kalakaua?

Mr. MOORE. After.

The CHAIRMAN. Was it serious rioting?

Mr. MOORE. It was serious rioting, so much so that the United States forces were called upon to suppress it.

The CHAIRMAN. Was it attended with arson and other crimes of that nature?

Mr. MOORE. It was not; but what the result would have been had the United States forces not been landed and the riot immediately suppressed, I do not know; it would undoubtedly have been very serious.

The CHAIRMAN. The commotion was, therefore, radical and severe?

Mr. MOORE. It was.

The CHAIRMAN. You say the United States forces were called at the instance of the Government. What Government?

Mr. MOORE. I did not intend to say at the instance of the Government; but we were called through the American minister. And I am under the impression that the request was made on him by the governor of the Island of Oahu.

The CHAIRMAN. There were governors in those islands?

Mr. MOORE. Yes.

The CHAIRMAN. Were there any other ships of war there?

Mr. MOORE. Yes; the U. S. S. *Tuscarora* and the English ship *Tenedos.*

The CHAIRMAN. Were there any British forces landed?

Mr. MOORE. Yes; our forces landed first, followed by the British forces. The United States forces were on the shore perhaps twenty minutes before the British forces landed.

The CHAIRMAN. How long did they remain on shore?

Mr. MOORE. From one to two weeks; I do not remember the exact time.

The CHAIRMAN. Did they camp on shore?

Mr. MOORE. Yes.

The CHAIRMAN. Do you recollect what buildings they occupied?

Mr. MOORE. The United States forces were quartered in two buildings; one, the legislative building or hall, the other the armory. Both of these were near the landing. The British troops were quartered at the palace.

The CHAIRMAN. Iolani Palace?

Mr. MOORE. Yes; Iolani Palace.

The CHAIRMAN. This legislative hall of which you speak was near the landing?

Mr. MOORE. It was.

The CHAIRMAN. Was it then the Government building?

Mr. MOORE. It was then the Government building, and corresponded to what is now known as the Government building. The name of that building I do not remember, but it corresponds to what is now spoken of as the Government building.

The CHAIRMAN. The barracks of the King's army, and in which one of your detachments was quartered?

Mr. MOORE. I think the Government militia's armory; I think that is what it was called. I think it was the armory of the milita, not of the regular troops.

The CHAIRMAN. Do you recollect who was then the commander of the King's forces, the Government forces?

Mr. MOORE. I think it was Berger; but I am not sure.

The CHAIRMAN. Was he an American or native?

Mr. MOORE. A German or Austrian, I think. That I am not positive of.

The CHAIRMAN. During the time of the stay of the troops on the island on that occasion, was there any conflict between them and the people.

Mr. MOORE. There was none. The people had broken into the legislative hall and had attaked the legislators with billets of wood, legs of tables, and such other offensive weapons as they could get hold of, and also pitched one or more of the representatives out of the window or windows, 20 feet or more above the ground. As soon as we

arrived on the spot the rioting ceased. The British troops came shortly afterward. The riot started again; then we surrounded the buildings and arrested the leaders of the riot. After that, at about 10 or 11 o'clock that night, there were some stones thrown at the building, and we turned out and patrolled a portion of the town; and again, about 11 o'clock that night, a shot was fired, apparently at our sentry, which was returned by the sentry, and we again patrolled the town. But we could find nobody. From that time on everything was perfectly quiet.

The CHAIRMAN. What did you do with those persons who were arrested?

Mr. MOORE. Turned them over to the Hawaiian authorities.

The CHAIRMAN. Were the arrests numerous?

Mr. MOORE. I think possibly eight or ten; I do not think more.

The CHAIRMAN. Were they the ringleaders of the rioters?

Mr. MOORE. Yes.

The CHAIRMAN. Did your detachment carry flags along?

Mr. MOORE. We did with our detachment.

The CHAIRMAN. Was there a flag raised over your camp when you went into quarters—United States flag?

Mr. MOORE. Yes.

The CHAIRMAN. That flag was taken down when your troops returned aboard ship?

Mr. MOORE. Yes.

The CHAIRMAN. During that period you say you heard annexation spoken of?

Mr. MOORE. I heard annexation to the United States spoken of at that time; during our stay; not necessarily during this riot.

The CHAIRMAN. Was the subject generally discussed or not?

Mr. MOORE. I can not say that it was generally discussed; but I remember its having been spoken of by some gentleman there as being the ultimate destiny of the Hawaiian Islands. And no later than during the past visit, Judge Widemann stated in a talk that he had with some of us, that he had predicted it prior to our visit twenty years ago.

The CHAIRMAN. So that it was in contemplation amongst the people who were speculating about the future?

Mr. MOORE. It was.

The CHAIRMAN. Did you find during that visit, in 1874, any organized body of men for the purpose of promoting annexation?

Mr. MOORE. None that I heard of.

The CHAIRMAN. It was merely a question that was one of the problems of the time, being discussed among the people?

Mr. MOORE. A problem of the future.

The CHAIRMAN. We will come down to this other period. About what time of day did your ship, the *Boston*, return to Honolulu from its cruise down to Hilo?

Mr. MOORE. After 10 o'clock a. m.—a little after that time.

The CHAIRMAN. Before the ship arrived, while you were at Hilo or Lahaina, had you heard that the ministry had been voted out of office?

Mr. MOORE. I had.

The CHAIRMAN. Was there any statement made in regard to its having created commotion?

Mr. MOORE. What I heard was that the ministry was voted out, the lottery bill passed, and the opium bill passed, and that there was great excitement in Honolulu.

The CHAIRMAN. And before you left for this cruise had you heard any discussion of the lottery bill and opium bill?

Mr. MOORE. I had heard them spoken of.

The CHAIRMAN. You knew it was a subject of legislative inquiry and action?

Mr. MOORE. I did.

The CHAIRMAN. I suppose you knew nothing about the agents who were promoting these bills, the lottery and opium bills?

Mr. MOORE. I heard them spoken of generally. But they were persons of whom I knew nothing, in any way.

The CHAIRMAN. When you returned to Honolulu did you ascertain that there was an agitated feeling there?

Mr. MOORE. Yes; there was.

The CHAIRMAN. Did you go on shore?

Mr. MOORE. I went on shore at about 1 o'clock p. m.

The CHAIRMAN. On Saturday?

Mr. MOORE. On Saturday, the 14th.

The CHAIRMAN. Describe as nearly as you can what you saw on your visit ashore on that occasion—the events that attracted your attention.

Mr. MOORE. The men on the streets seemed to be gathered in little knots of 3 and 4 and more, discussing something, apparently the situation.

The CHAIRMAN. When you went ashore were you in uniform?

Mr. MOORE. I was not. And there appeared to be more or less excitement; they were passing from one batch to another, asking, "What is the news?" "What is the latest?" "What is going to be done?"

The CHAIRMAN. You can describe it, I suppose, as an anxious state of feeling?

Mr. MOORE. Anxious state of feeling. No one seemed to know what was going to occur, so far as I saw.

The CHAIRMAN. Did you see any large assemblage of men there at any place?

Mr. MOORE. I did not; no larger, perhaps, than six or eight.

The CHAIRMAN. Did you attend either of the mass meetings that were held there?

Mr. MOORE. I did not.

The CHAIRMAN. Did you see them?

Mr. MOORE. No.

The CHAIRMAN. In these conversations was your attention attracted to anything that was said about the Queen; what she had done or was going to do in regard to the constitution of the Kingdom?

Mr. MOORE. Yes; I was told that she had signed the lottery bill and the opium bill; had appointed a cabinet of her own liking, and had prorogued the Legislature; and it was rumored that she would that afternoon declare a new constitution.

The CHAIRMAN. Was that current rumor on the street?

Mr. MOORE. It was current rumor on the street.

The CHAIRMAN. Could you state it as a common belief that she would do so, so far as you heard it?

Mr. MOORE. I think that was a common belief that afternoon.

The CHAIRMAN. Did you hear any one contradict it?

Mr. MOORE. No.

The CHAIRMAN. Do you recollect any of the individuals with whom you conversed on that occasion?

Mr. MOORE. With Mr. McInerney and his two sons, and Mr. Wilcox

and Mr. Robinson, both members of the cabinet that had been just voted out. Others I do not remember.

The CHAIRMAN. Were those men chiefly the ones from whom you derived your information of what occurred?

Mr. MOORE. Yes.

The CHAIRMAN. And what was intended to be done?

Mr. MOORE. Yes.

The CHAIRMAN. That the Queen had signed the new constitution, or intended to do so?

Mr. MOORE. Intended to do so. The rumor was that she had proclaimed a new constitution; but the fact was that she intended to do so.

The CHAIRMAN. How long did you remain ashore?

Mr. MOORE. Until 7 o'clock the next morning.

The CHAIRMAN. You remained during the night?

Mr. MOORE. I remained during the night, not in that part, but out of the thickest part of the town, where I then had a cottage.

The CHAIRMAN. Was your family there?

Mr. MOORE. My wife was residing there at that time.

The CHAIRMAN. How long had your family resided in Honolulu?

Mr. MOORE. Three months and a half at that time.

The CHAIRMAN. Were there any patrols, or bodies of men moving about in your part of the town that night?

Mr. MOORE. I saw and heard of none.

The CHAIRMAN. Did you feel any apprehension during the night of incendiary fires?

Mr. MOORE. Not at that time.

The CHAIRMAN. You reported back to the ship the next morning.

Mr. MOORE. The next morning, the morning of the 15th.

The CHAIRMAN. Did you visit the shore after that?

Mr. MOORE. I did; went ashore late in the afternoon of the 15th—sometime during the afternoon of the 15th—and remained until the morning of the 16th.

The CHAIRMAN. Spending the night again at your cottage?

Mr. MOORE. At my cottage.

The CHAIRMAN. When you arrived in Honolulu that Sunday evening, did you find any bodies of armed men in the street?

Mr. MOORE. I saw no bodies of armed men in the street then.

The CHAIRMAN. Did you know whether there had been any organization at that time of a committee of safety, or any other organization for the protection of the people?

Mr. MOORE. There were many rumors flying about, and among the rumors was one that a committee of safety of 13 or 16—a committee of safety of citizens—had been appointed Saturday afternoon, the 14th, and that they were having meetings continually to consult with citizens; and then on Sunday rumors were going about to the effect that there were organized bodies of citizens' troops. But I saw none of them and knew nothing definite. Those rumors were rumors of the reorganization of what was called the old militia—reorganizing the old militia was spoken of generally.

The CHAIRMAN. When you got back to the ship on Monday, how long did you remain aboard?

Mr. MOORE. I returned to the ship Monday morning between 7 and 8 o'clock, and went ashore that forenoon on duty.

The CHAIRMAN. What duty?

Mr. MOORE. Testing compasses—making an examination on shore,

away from any iron or other attraction, of all the ship's compasses. I returned about 12 o'clock. While on shore I saw no one to get any news from, but when I returned to the ship I found preparations—I found several rumors had reached the ship, how, I do not just remember, and orders had been issued for the officers to remain on board ship until further orders. There was talk of the forces being called upon to land at any time, because it was thought that a riot would break out in Honolulu at any time. But the nature of the riot anticipated I did not know.

The CHAIRMAN. Was the ship being put in any preparation for the landing of the forces?

Mr. MOORE. Whether it had commenced already I do not know; but if not, it was commenced very soon after my return.

The CHAIRMAN. Do you recollect the time that Minister Stevens came on board?

Mr. MOORE. It was in the early part of the afternoon; what hour I do not remember.

The CHAIRMAN. The preparations for landing the troops had already been made before he came on board?

Mr. MOORE. That I can not say; I think some had been. I will say that some preparations had been made.

The CHAIRMAN. The orders had been communicated before?

Mr. MOORE. Yes; hours before.

The CHAIRMAN. Did you have any conversation with Mr. Stevens when he came on board?

Mr. MOORE. No.

The CHAIRMAN. Or hear any between him and Capt. Wiltse?

Mr. MOORE. No.

The CHAIRMAN. Did you receive orders to go ashore?

Mr. MOORE. No; being navigating officer my position was on board ship. I remained there.

The CHAIRMAN. Did you remain there during that evening and night?

Mr. MOORE. I remained on board ship for ten days or two weeks.

The CHAIRMAN. Without going home at all?

Mr. MOORE. I remained on board two weeks or more, going home only for a few minutes, perhaps once or twice. On one or two occasions I went up to my home, but returned at once.

Senator BUTLER. Where was your home?

The CHAIRMAN. He had a cottage for his family.

Senator BUTLER. In Honolulu?

The CHAIRMAN. Yes.

Mr. MOORE. My home was about a mile from the landing.

The CHAIRMAN. During the landing of those troops you had very little opportunity of going home?

Mr. MOORE. Very little opportunity. I saw my wife and perhaps some ladies.

The CHAIRMAN. Was it on land or on ship that you understood the Provisional Government had been organized?

Mr. MOORE. On ship I heard of it.

The CHAIRMAN. After you returned on Monday?

Mr. MOORE. The Provisional Government was not announced until Tuesday.

The CHAIRMAN. You first heard it on board ship?

Mr. MOORE. I did.

The CHAIRMAN. All the troops had gone before you first heard that?

Mr. MOORE. The troops landed about half past 4 on Monday, the 16th, and the Provisional Government was not declared until Tuesday, the 17th, about 3 o'clock.

The CHAIRMAN. Do you know of any recall of the troops to the ship in that interval of time, or whether they had started to debark?

Mr. MOORE. No; nothing of the kind. If there had been I would have heard of it, being the executive officer, the one who carries out the orders of the commanding officer.

The CHAIRMAN. Do you think you would have known if any organization had existed in Honolulu to overthrow the government of the Queen, or any organization for annexation to the United States up to, we will say, Monday, until you returned to the ship? Do you think you would have known it had it existed among the people of Honolulu?

Mr. MOORE. Do you mean between Saturday and Monday?

The CHAIRMAN. Yes.

Mr. MOORE. An organization undoubtedly did exist Saturday afternoon.

The CHAIRMAN. The committee of safety?

Mr. MOORE. The committee of safety. And that organization was generally known. But what the object of that organization was I did not hear.

The CHAIRMAN. I speak more particularly of an organization to overthrow the Queen, or an organization for annexation to the United States. Did you hear of anything of that sort, while you were on shore, as being consummated or in process of consummation?

Mr. MOORE. I heard annexation to the United States talked of that Saturday afternoon.

The CHAIRMAN. But you heard that twenty years ago?

Mr. MOORE. I heard the same thing twenty years before.

The CHAIRMAN. I am speaking now of an actual, open organization to overthrow the Queen, or an open organization to annex Hawaii to the United States. If there had been such an organization on Sunday evening and Monday morning when you visited home, do you think you would have known it—I mean if it had existed in that form? Perhaps I can make my question a little more distinct. You had heard of the organization of the committee of safety between Sunday evening when you went over to your house and Monday when you returned on board ship?

Mr. MOORE. I had heard of the organization of the committee of safety on Saturday, the 14th.

The CHAIRMAN. The question is, whether you heard that it was an organization for overthrowing the Queen and the annexation of Hawaii to the United States.

Mr. MOORE. My understanding was that it was in opposition to the Queen.

The CHAIRMAN. That was the beginning of it?

Mr. MOORE. That was the beginning of it. I do not recollect hearing of any organization at that time for annexation to the United States, although annexation was spoken of quite freely, and a desire for it expressed on the streets by the business men.

The CHAIRMAN. Before the *Boston* went on that cruise to Hilo you did not hear of any such organization?

Mr. MOORE. I did not.

The CHAIRMAN. Do you think if it had existed you would have known it?

Mr. MOORE. I think if such an organization had existed before our

departure for Hilo I would have known something of it; but not necessarily so.

The CHAIRMAN. No; but you had good opportunities?

Mr. MOORE. I was quite intimate with several of the gentlemen who were afterward engaged in this movement, and I never heard such a thing intimated.

The CHAIRMAN. How did matters progress in Hawaii after the establishment of the Provisional Government, with regard to the preservation of law and order?

Mr. MOORE. Exceedingly well, so far as I knew. For a little while at first there was considerable excitement, much anxiety. The fears that I heard expressed were of incendiarism by the natives; but I only heard a few cases where incendiarism was suspected. But I do not know whether the fire was caused by incendiarism or in the ordinary way—through carelessness.

The CHAIRMAN. After the Provisional Government had been inaugurated, taken possession of the barracks, etc., did you hear of any attempted organization on the part of the Queen's friends to have a conflict with the Provisional Government and overturn it?

Mr. MOORE. I heard frequent rumors of organizations.

The CHAIRMAN. Did you see any evidence of their being real?

Mr. MOORE. I did not.

The CHAIRMAN. How would you describe the situation there?

Mr. MOORE. Almost doubted their existence.

The CHAIRMAN. I suppose that was because you found that everything was conducted peacefully and quietly?

Mr. MOORE. Yes; I did not think that an organization of that kind could be successful.

The CHAIRMAN. Why not?

Mr. MOORE. Because the Provisional Government, after it was once established, had the arms and munitions of war. They had control of the custom-house and of the other offices, not only over these islands but the other islands; and I saw no way in which arms could be gotten into the islands without the knowledge of the officers of the Provisional Government, and I did not think that Government was foolish enough to let arms go into the hands of the other people. What I did think of was incendiarism.

The CHAIRMAN. Now, take the condition that the Hawaiian Islands was in, and Honolulu particularly, after the establishment of this Provisional Government, and up to the time you left the island, do you think the Queen could have overcome that Provisional Government without the assistance of some foreign power?

Mr. MOORE. I do not think so.

The CHAIRMAN. It would have been a rash endeavor on her part to have attempted it?

Mr. MOORE. A very rash endeavor.

The CHAIRMAN. So that you regard the Provisional Government, with the resources that it had—men, arms, and money—as being able to sustain itself against any forces the Queen could have organized upon her own resources and without assistance from abroad?

Mr. MOORE. I did—undoubtedly so.

The CHAIRMAN. I suppose the ladies of Honolulu have their social meetings and entertainments as they do in other parts of the world?

Mr. MOORE. Yes; they are very sociable and agreeable. A charming society exists there; an educated and elegant society, as much so as you can find in any small community.

The CHAIRMAN. Does that include persons having Kanaka blood?

Mr. MOORE. A great many of them.

The CHAIRMAN. Are they good people?

Mr. MOORE. Charming people. Some of my friends there were amongst the natives and half whites. My immediate associates were mostly among the whites; but I was entertained by both natives and whites.

The CHAIRMAN. Was there any obvious damper thrown upon the society of Honolulu by the accession of this Provisional Government or authority? Did people seem to hold it in dread, or did the social amenities among the families of Honolulu proceed as they had done before?

Mr. MOORE. Sociability ceased for a little while after the outbreak, but soon continued much as before. At general grtherings you would see the families of those interested in the Provisional Government associating freely with those who were known to be Royalists and the Queen's adherents. So far as the social relations were concerned the change of government did not seem to have much effect; that is, from the outward appearance of social relations, the change of government seemed to have little effect.

The CHAIRMAN. There was no line of demarcation drawn in society upon the question of loyalty or disloyalty to the Queen?

Mr. MOORE. I think not.

The CHAIRMAN. How is commerce affected by this change?

Mr. MOORE. I know of that by hearing people talk. At first the business seemed to be checked, but after a few days it seemed to revive and there seemed to be more confidence. There seemed to be confidence in their business relations after a few days. As to that, not being engaged in any commercial pursuits myself, I only state that from hearsay—as to the checking of business and its increase thereafter—although I remember gentlemen stating that stocks increased in value within a few days and stocks were going up.

The CHAIRMAN. As to the commerce with the outside world. Was there any restraint imposed upon it by the Provisional Government?

Mr. MOORE. I think not.

The CHAIRMAN. Things seem to be going on as before?

Mr. MOORE. Things were going on as before.

The CHAIRMAN. In charge of the same officers?

Mr. MOORE. In charge of the same officers.

The CHAIRMAN. It was an exchange of the Queen's Government into the hands of the Provisional Government, with the same offices.

Mr. MOORE. It was.

The CHAIRMAN. From your observation of the effect upon this Government called the Provisional Government during the time that you remained in Honolulu, could you say that it was a good or bad Government.

Mr. MOORE. It is my opinion that it was a good Government.

The CHAIRMAN. One that the people had confidence in?

Mr. MOORE. Yes; that is my reason for thinking it was a good Government—because the people had confidence in it.

The CHAIRMAN. You have an acquaintance more or less special with a number of the leading men in Honolulu?

Mr. MOORE. Yes.

The CHAIRMAN. The thinking men, the business men, and the men who controlled in political affairs?

Mr. MOORE. Yes.

The CHAIRMAN. Taking the personnel of this new Government, the committee of safety, and the councillors who have been appointed, and the president and the cabinet, and generally the officers and attaches and employes of this new Government, what would you say of them as a class?

Mr. MOORE. As a class I think they are an excellent set of men. That is, those in the higher positions. Most of them, many of them, would ornament any society.

The CHAIRMAN. They are men of real ability and character?

Mr. MOORE. Men of ability and character. Of those who occupy the lower positions I know very little.

The CHAIRMAN. Will you say that the disposition of these people of whom you have spoken as being the controlling men in the islands there tended to deprave and degenerate the people, or that the tendency was in the opposite direction?

Mr. MOORE. Of the Provisional Government?

The CHAIRMAN. Yes.

Mr. MOORE. On the contrary, I think the tendency is to improve the social relations. Many of them are men against whom I never have heard a word said—men recognized there as men of means and ability, and most of them are temperate men. I will change that. They are temperate men, perhaps a quarter to a third of them total abstainers, and as a rule Christians.

The CHAIRMAN. Then you would say that society of Honolula which has the controlling influence in Hawaii is composed of men of the Anglo Saxon extraction, with their families, and that they are men of high grade of character?

Mr. MOORE. Decidedly so. Many of these men have been educated in our American colleges, and are well educated, well read men.

The CHAIRMAN. Have you had occasion to examine a harbor there called Pearl River harbor?

Mr. MOORE. I have been in Pearl Harbor.

The CHAIRMAN. Is there any river emptying into it?

Mr. MOORE. Small streams, I think; perhaps two or three small streams.

The CHAIRMAN. Have you any knowledge of the depth of the water inside the bar there?

Mr. MOORE. The water inside the bar is very deep for inside water, being in some places 20 fathoms, but mostly from 5 to 7 fathoms.

The CHAIRMAN. Does that deep water extend back any distance from the bar?

Mr. MOORE. It extends about 5 miles.

Senator BUTLER. What is the extent of that harbor, approximately?

Mr. MOORE. It is about 4 miles long by 3 miles deep in the extreme. But it is cut up by islands and small peninsulas running out into it, so that it has three or more arms to it.

The CHAIRMAN. Is the shore around it and the peninsulas of which you speak of such an elevation as to justify the opinion that it could be easily fortified?

Mr. MOORE. I do think it could be easily fortified; and strongly fortified.

The CHAIRMAN. The fortification next to the ocean?

Mr. MOORE. Next to the ocean, and torpedoes in the channel. With long-range guns of the present day, it might be reached at the distance a vessel would have to remain at sea; but the shots would be uncertain.

The CHAIRMAN. But with that channel the fortifications there would be very powerful, and it would be very difficult for a ship to pass in?

Mr. MOORE. A ship could not pass in.

The CHAIRMAN. Do you know any other position in the Sandwich Islands where there is such an opportunity for protecting a fleet or for a naval station as would be found in Pearl Harbor, of course, with that channel dredged deep enough for ships to go in?

Mr. MOORE. I do not think there is any other to compare with it for a harbor.

Senator BUTLER. What is the distance of Pearl Harbor from Honolulu?

Mr. MOORE. Ten miles by water; 5 miles from one bar to the other.

Senator BUTLER. South?

Mr. MOORE. Southwest.

The CHAIRMAN. So that the government that had Pearl Harbor, with a channel for ships to enter, and proper fortification for a naval establishment, ships undergoing repairs and otherwise, you would consider would have the naval control of the islands?

Mr. MOORE. She would have naval control of the islands and could protect her vessels inside of that harbor.

The CHAIRMAN. And her depot of supplies?

Mr. MOORE. And her depot of supplies. As I said before, with the long-range guns that we have to-day a vessel could lay outside and drop in shell; might reach the inside with shell, but not by direct firing.

The CHAIRMAN. What is the distance from Sidney to Honolulu, as navigators estimate it?

Mr. MOORE. About 4,400 miles, and Auckland, a coal station, about 3,700 miles.

The CHAIRMAN. I will ask you this way: Is it twice as far from Sidney to Honolulu as it is from San Francisco to Honolulu?

Mr. MOORE. Yes. It is 2,100 miles to San Francisco from Honolulu, 2,200 miles to San Diego, and 2,300 miles to the Straits of Fuca.

The CHAIRMAN. The distance from Hongkong would be the distance from Sidney to Honolulu?

Mr. MOORE. Hongkong, Manila, and Shanghai are more—5,000 miles; Nagasaki, 4,000, and Yokohama, 3,400 miles.

The CHAIRMAN. Where in all these countries would a ship navigating the Pacific Ocean get a supply of coal while crossing that great body of water? Suppose the ship is at Honolulu, where there is no coal, what would be the nearest point at which she would derive her supply of coal?

Mr. MOORE. San Francisco.

The CHAIRMAN. Which is 2,100 miles away. The next nearest point would be at the Straits of Fuca?

Mr. MOORE. Yes; 2,300 miles away.

The CHAIRMAN. The next nearest coal mines would be Sidney?

Mr. MOORE. New Zealand—Auckland.

Senator FRYE. The Straits of Fuca would be about 500 miles farther than San Francisco?

Mr. MOORE. Two hundred miles farther than San Francisco.

The CHAIRMAN. Would a power having a proper supply of coal in Pearl Harbor have a great advantage over any other power in the world for the protection of the Pacific Ocean, or carrying on naval operations with their ships and fleets in the Pacific Ocean?

Mr. MOORE. Yes; decidedly so.

The CHAIRMAN. That would be the central place for a coal depot;

that, you would regard, as being important for steam navigation by war ships?

Mr. MOORE. Very important, especially for offensive demonstrations toward any other country attacking the west coast of the United States.

The CHAIRMAN. If a ship were coming through the Mediterranean and through the Suez Canal and approaching the United State here [indicating on a map] and should meet with a force that was well supplied with coal and well protected and well provisioned—a naval force of the United States at Honolulu—do you think the advantages would be very great in favor of the American ships as against any ships that might make an attack from the Mediterranean and Red seas?

Mr. MOORE. I do not exactly understand.

The CHAIRMAN. I say, suppose a fleet were sailing through the Mediterranean and Red seas, Indian Ocean, to attack us here on this coast, and we had a proper supply of naval force and naval stores of every description at Pearl Harbor, do you think the advantages would be in favor of the United States for protecting herself against such an attack as I have mentioned?

Senator BUTLER. On the main land?

The CHAIRMAN. Yes; protecting our coasts.

Mr. MOORE. Yes, I think the United States would have very great advantage in having possession of the supplies at that place. Even if the United States were in such a position that she was not able to defend her position there she could destroy all the coal and supplies, thus keeping them from the enemy.

The CHAIRMAN. I am not talking of defending. Suppose that the United States fleet were located at Pearl Harbor, with a proper inlet through the bar, fortifications, and proper supplies of coal and other naval stores, would her position in defense of the west coast be greatly strengthened by such a fact as that?

Mr. MOORE. It would.

Senator BUTLER. I understand you to say that as a strategic point, if the United States had possession of the Sandwich Islands, her position would not be weakened if she had to abandon them?

Mr. MOORE. Her position would not be weakened, and she would weaken her enemy in case he had the advantage. I will put it another way—she would not strengthen her enemy by allowing him to get her coal. Before abandoning her position, she could destroy all the coal, so that the enemy would have nothing but the station.

Senator BUTLER. So that you would regard it either for offensive or defensive operations as a very strategic point?

Mr. MOORE. I should.

The CHAIRMAN. That applies to ships coming around the Horn as well as to ships coming through the Mediterranean. There is no coal in Patagonia?

Mr. MOORE. Yes, in Chili.

The CHAIRMAN. Plenty of it?

Mr. MOORE. Plenty, but not of a good quality. That applies to vessels approaching the United States from any direction, but more particularly to those approaching from the Asiatic or Australian coasts.

The CHAIRMAN. Suppose the United States were to be successful in cutting a canal through Nicaragua, what position in a military or naval sense would these islands have in protecting that enterprise, that channel of communication; important or otherwise?

Mr. MOORE. It would be important; in my opinion more important

in keeping any other country from having a base of supplies at that point, or any other way.

The CHAIRMAN. The necessity for a base of supplies at Honolulu seems to depend upon the fact that it is a long distance to coal on the Asiatic coast or coast of New Zealand. Suppose that a fleet coaling at Sidney, Australia, or anywhere upon these British islands, and sailing such a distance as they would have to go to get to Honolulu; it would necessarily be slow in its movements, because it would consume a great deal of coal?

Mr. MOORE. They would have to be economical in the use of coal; but as many of the vessels are built to-day they could carry coal enough to make this trip between these two points without stopping at any place—any midway place—to coal. But they would reach the coast of the United States with bunkers comparatively empty, which would take from their efficiency.

Senator BUTLER. I would like to ask you a question in regard to Pearl Harbor. Is it a large rendezvous? Taking the description you have given of its extent, how many ships would it hold?

Mr. MOORE. It is large enough to take all the war vessels Great Britain has to-day, which runs into the hundreds.

Senator BUTLER. And give them protection within the harbor?

Mr. MOORE. Yes.

Senator BUTLER. They could rendezvous there in still water?

Mr. MOORE. Yes.

The CHAIRMAN. You mean whatever degree of security a fortification would be provided by the ships for their own safety?

Mr. MOORE. Yes. I do not mean that if Pearl Harbor were filled with vessels they would be beyond the reach of the guns of to-day.

Senator BUTLER. That is not what I meant to say. Would they have what you officers call sea room?

Mr. MOORE. Sea room; yes, plenty of it.

Senator BUTLER. Enough for more than a hundred vessels inside the bar?

Mr. MOORE. Yes.

Senator BUTLER. Do you remember what water is on the bar crossing the harbor?

The CHAIRMAN. Only a few feet, 7 or 8.

Mr. MOORE. I think more than that; about 12 feet. I am under the impression that that bar can be dredged with a hydraulic dredge, the same as Honolulu. We have a depth of 30 feet at Honolulu, and I have no reason to believe but that the bar at Pearl Harbor is of the same coral sand.

The CHAIRMAN. I have been trying to lead you up to this proposition, that Pearl Harbor, with the advantages that you have described and its location, nearly in the middle of the Pacific Ocean, is a strategic point for our country.

Mr. MOORE. I regard it as a strategic point in defense of our west coast.

The CHAIRMAN. That if it were in the possession of any naval power it would cripple us?

Mr. MOORE. It would enable them to throw a fleet on our coast of whatever number of vessels they might have, fully equipped with provisions and coal.

The CHAIRMAN. And we could have no point to anticipate them except the open sea and on the coast?

Mr. MOORE. None. There is one question that the Senator asked

me a while ago. I would like to add that the harbor of Honolulu is one that could be very fairly defended.

The CHAIRMAN. From the hill back of it?

Mr. MOORE. From the hills back of it, and the reef in front as well. I have just received a chart of Honolulu.

The CHAIRMAN. Does the water break deep over that reef?

Mr. MOORE. No; very shallow.

The CHAIRMAN. You can build forts on the reef?

Mr. MOORE. Yes; breakwater fortifications on that reef, and be about a mile in front of the moorings of the vessels.

Senator BUTLER. That would be to protect the harbor?

Mr. MOORE. Yes; against any vessels from the outside.

The CHAIRMAN. What you speak of there is the Punchbowl?

Mr. MOORE. Punchbowl and Diamond Head are both commanding points. Punchbowl back of the town.

The CHAIRMAN. That is the one with the crater?

Mr. MOORE. Yes; both are extinct craters.

Senator BUTLER. You mean to have heavy guns on those hills?

Mr. MOORE. Yes. They would be able to fire a long distance, and you could command a view within the range of the guns.

The CHAIRMAN. And you could establish heavy batteries looking out to sea?

Mr. MOORE. Yes; on the reef.

Senator BUTLER. But you could command a sweep of the sea?

Mr. MOORE. From both you could command a sweep of the sea of at least 90 degrees, and that commands completely the only approach from seaward to the harbor of Honolulu. Diamond Head commands 190 degrees.

Senator BUTLER. I would like to have down your statement in regard to the question I asked you a while ago. As to the expenditure of $100,000,000 to fortify and make a station of Pearl Harbor. Do you think that would be an extravagant estimate?

Mr. MOORE. I think $100,000,000 would be very extravagant. I can not see where anything like that could be expended. In fact I think one-tenth that amount would be extravagant.

E. K. MOORE,
Lieutenant, U. S. Navy.

SWORN STATEMENT OF I. GOODWIN HOBBS.

The CHAIRMAN. Were you connected with the U. S. S. *Boston* in January, 1893?

Mr. HOBBS. I was.

The CHAIRMAN. What was your office on that ship.

Mr. HOBBS. Paymaster.

The CHAIRMAN. You went with the ship on the little cruise down to Hilo and Lahaina?

Mr. HOBBS. Yes.

The CHAIRMAN. Were you acquainted with the islands before the ship left?

Mr. HOBBS. Yes; I was on the islands in 1874, when Kalakaua was first made King. I was on the *Tuscarora*, under command of Admiral Belknap; that is, he is now.

The CHAIRMAN. What stay did you make there in 1874?

Mr. HOBBS. I was there on that cruise on three different occasions.

The longest stay was about six months. In fact, we were there all the time during the first visit of the King to the United States after he became King. I think he came to the United States shortly after he was elected.

The CHAIRMAN. That is, Kalakaua?

Mr. HOBBS. Kalakaua, yes. You might say that we arrived there in the first instance in the Tuscarora in 1874. I think it was just a day after Lunalilo died. We were there when the trouble came up, after Kalakaua was elected King, and had to land our forces at that time to keep the peace. They were on shore, I think, some two weeks, something like that, and then continued our voyage to China on deep sea soundings, in which the ship was engaged at that time.

The CHAIRMAN. Who was the American minister at Honolulu at that time?

Mr. HOBBS. Mr. Pierce.

The CHAIRMAN. Was it at his request that the troops were sent to Honolulu?

Mr. HOBBS. I so understood it. But on that point I am not certain. That is my recollection.

The CHAIRMAN. Was there much commotion amongst the people at that time?

Mr. HOBBS. No; as I remember it it appeared to be a very peaceable kind of riot; it was all quelled within a few minutes after the force landed.

The CHAIRMAN. The Hawaiians, as a rule, are not a very riotous people?

Mr. HOBBS. No; they are very docile.

The CHAIRMAN. Have you been amongst them enough to form an estimate of their general characteristics?

Mr. HOBBS. So far as I know, they do not care very much for work, so long as they have plenty of *poi* and fish. They let matters go on so long as the have their *poi* and fish.

The CHAIRMAN. They are not an industrious, enterprising people?

Mr. HOBBS. No; not so in my opinion.

Senator FRYE. You are speaking now of the Kanakas?

Mr. HOBBS. Yes.

The CHAIRMAN. Would you say that they are a people given to intrigue and conspiracy?

Mr. HOBBS. I should say not.

The CHAIRMAN. They are disposed to put up with what is given to them?

Mr. HOBBS. Yes.

The CHAIRMAN. During your visit to Hawaii did your hear the subject of annexation to the United States discussed amongst the people there?

Mr. HOBBS. No; I do not think I did.

The CHAIRMAN. And more recently, when you were there on the *Boston*, and before the time you went out to Hilo, what was the condition of the popular mind as to peacefulness and quietude?

Mr. HOBBS. All through that time there appeared to be a good deal of uneasiness among the people, due to the change in the ministry—rather unsettled; did not know what to do. They could not make any engagements ahead. They did not know what was going to happen until what was known as the Wilcox ministry came into power. After that ministry was installed the people had great faith and reliance that their troubles were over, and that that ministry would probably hold

over for two years following the adjournment of the Legislature, which was expected soon; and on the way to Hilo I got that impression from Mr. Stevens, in the conversations which I had with him from time to time, that the present ministry would not be voted ont.

The CHAIRMAN. Mr. Stevens was of that opinion, was he?

Mr. HOBBS. Yes; he seemed to be. And after the ministry was thrown out, Capt. Wiltse said to me that he was afraid that would be the result—that they would not stay in.

The CHAIRMAN. Did Mr. Stevens go with the *Boston* on any official business, or was it a pleasure excursion?

Mr. HOBBS. He had never visited the island of Hilo since he had been there, and he went principally to visit that island.

The CHAIRMAN. The *Boston* went out for target practice?

Mr. HOBBS. Yes.

The CHAIRMAN. And Mr. Stevens went along as a guest of the officers of the ship?

Mr. HOBBS. Yes.

Senator FRYE. Did Mr. Stevens in these conversations with you express himself as pleased with the contentment and prospect of peace, and that it would last until his return home?

Mr. HOBBS. Yes; that was the idea I got from him—that if this ministry was not voted out they would have peace and quiet at least for two years, until this new Legislature came in, which would not be for two years.

The CHAIRMAN. Did you gather from Mr. Stevens that that was a satisfactory state of affairs?

Mr. HOBBS. I did, because all the men in that ministry were regarded as very reliable and very highly esteemed. Mr. Wilcox especially was a very wealthy man from Kauai. He was minister of the interior. Mr. Jones was the minister of finance; Cecil Brown was attorney-general, and a half white man; Mark Robinson was minister of foreign affairs.

The CHAIRMAN. Is Cecil Brown of American origin?

Mr. HOBBS. Yes, I think he came from Georgetown—I think he came from the District of Columbia. At all events he was at school over in Georgetown, I know, as a young man.

The CHAIRMAN. Georgetown College?

Mr. HOBBS. Yes.

Senator FRYE. I would like to ask another question. You saw considerable of Mr. Stevens while you were there?

Mr. HOBBS. Yes, a good deal of him.

Senator FRYE. What impression did you form of his character?

Mr. HOBBS. I regarded him as an able man in every way. I became very much attached to him, and was at his house frequently.

The CHAIRMAN. Your relations with Mr. Stevens were such as might be called confidential?

Mr. HOBBS. I should scarcely say that, although Mr. Stevens was from Maine and I was originally from Maine, and it was a little common amenity between us on that account, perhaps.

Senator FRYE. Was Mr. Stevens a man whom you looked upon as inclined to be a filibusterer or inclined to disturb the condition of things at all?

Mr. HOBBS. No; I would not have thought that of him.

The CHAIRMAN. I was going to ask you whether you heard anything from Mr. Stevens in the discussion of Hawaiian affairs that led you to suppose he was trying to disrupt that Government, dethrone the

Queen, or accomplish the annexation of those islands to the United States?

Mr. HOBBS. No.

The CHAIRMAN. Nothing that he remarked led you to understand that he had any such purpose?

Mr. HOBBS. No.

The CHAIRMAN. Did he ever complain about the authorities there?

Mr. HOBBS. I never heard him make any complaint. We only talked in the usual way; but did not talk politics, only incidentally.

Mr. CHAIRMAN. Did you have a residence on the island while you were there, a cottage on the island?

Mr. HOBBS. From April to shortly before September my family were there, and I was on shore at night.

The CHAIRMAN. Keeping house.

Mr. HOBBS. No, at the hotel.

The CHAIRMAN. Mr. Moore's family was there?

Mr. HOBBS. Yes.

The CHAIRMAN. Were the families of other gentlemen?

Mr. HOBBS. Yes. On our ship? No. There was one other officer of the ship had his family there, but not at the hotel.

The CHAIRMAN. Your family went out to Honolulu to meet you?

Mr. HOBBS. In April last I got three weeks' leave from the admiral and came home and took my family back.

The CHAIRMAN. They could not go over on a man-of-war?

Mr. HOBBS. No; they went over on the Australia.

The CHAIRMAN. Had you any idea of keeping your wife there when you went on that trip to Honolulu?

Mr. HOBBS. She was not there; she came this last April.

The CHAIRMAN. Are there any other families of officers living there?

Mr. HOBBS. Mr. Moore's (he was on our ship) was the only family there.

The CHAIRMAN. Of course, in the case of an outbreak when your families were ashore you would feel a concern about them?

Mr. HOBBS. Oh, yes.

The CHAIRMAN. As I understand, you had no occasion to feel concerned about the situation at all, as to the public peace, when you went out to Hilo?

Mr. HOBBS. I did not feel concerned myself at all, but people about the town did feel concerned, people living there constantly. It did not occur to me that there was any danger to my belongings at all.

The CHAIRMAN. When you returned on Saturday morning, the 13th of January, did you go ashore?

Mr. HOBBS. I went ashore in the afternoon at 1 o'clock. We arrived in Honolulu, I think, about 11 o'clock, probably.

The CHAIRMAN. How long did you stay ashore?

Mr. HOBBS. I went ashore at 1 o'clock and went up to the English Club, where we used to go. It was there that I heard that the Queen was about to proclaim the new constitution. I then went down town to see what was going on. It was a business part of the town; it was Saturday afternoon; the people were scurrying around there; did not know what was going to happen—feared that there would be some sort of trouble and could not place exactly where it was coming from. On my way down I think I met Mr. Moore, and we had some conversation on the corner there with one of the residents, Mr. McInerny. Then I went on board ship. It was about 5 o'clock that afternoon. I went ashore again Sunday. Sunday is a remarkably quiet day in

Honolulu, and it was quiet on this Sunday—I did not see anybody about. I took a long walk and returned to the ship about 4 or 5 o'clock that afternoon. On Monday we were not allowed to leave the ship, and I did not go on shore again until the next afternoon, when I had to go on duty at the place where our men had been spending the night. They were landed Monday afternoon. We had to make some arrangements about getting food for them, and something of that sort.

The CHAIRMAN. On that Saturday afternoon which you spent on shore what was the condition of the people? State whether they were agitated and excited, or quiet and cool.

Mr. HOBBS. There was rather more excitement, I ascertained, than there was before.

The CHAIRMAN. Did you attend any mass meeting that evening?

Mr. HOBBS. No.

The CHAIRMAN. Or any other evening that you were there?

Mr. HOBBS. No.

Senator FRYE. Were those mass meetings on Saturday?

The CHAIRMAN. Saturday.

Senator FRYE. Sunday, was it not?

Mr. HOBBS. I think it was Monday afternoon.

The CHAIRMAN. Yes. Before you left to go back on the ship, which I think you said was about 5 o'clock, did you hear of the establishment of a committee of safety, or anything of that kind?

Mr. HOBBS. I heard that a committee of safety had been appointed.

The CHAIRMAN. You heard that on shore?

Mr. HOBBS. I think so. I would not be absolutely sure about that.

The CHAIRMAN. Do you recollect the names of any of the persons with whom you and Mr. Moore conversed on these topics?

Mr. HOBBS. No; I do not remember. Shortly after Mr. Moore left, he went up town where his wife was living, and I do not remember that we did have any more conversation with any of the citizens.

The CHAIRMAN. Did you have any apprehension of an outbreak there that Saturday evening?

Mr. HOBBS. At the time I went on aboard the ship, no.

The CHAIRMAN. Later during that evening, did you have any?

Mr. HOBBS. No. I did not hear anything of any trouble except the rumors that a committee of safety had been appointed and was at work.

The CHAIRMAN. When you went on shore again on Sunday did you find any considerable bodies of men collected together?

Mr. HOBBS. No; I do not remember to have seen half a dozen people on the street.

The CHAIRMAN. You would not have supposed that the country was in a revolutionary state from the appearance of the people?

Mr. HOBBS. Not from what I saw on Sunday. But Sunday, as a rule, is a particularly quiet day, in the middle of the day.

The CHAIRMAN. You did not witness any public agitation or excitement?

Mr. HOBBS. I did not on that Sunday.

The CHAIRMAN. And you went back Sunday night to your vessel?

Mr. HOBBS. Yes.

The CHAIRMAN. And Monday you were detained on board?

Mr. HOBBS. Yes; not allowed to leave the ship.

The CHAIRMAN. What time did you get orders to remain aboard ship?

Mr. HOBBS. I think Monday morning.

The CHAIRMAN. At guard mounting?

Mr. HOBBS. Yes. At half-past 9, I think, word was passed that we would not be allowed to visit the shore.

The CHAIRMAN. Were any preparations made during Sunday for sending troops ashore?

Mr. HOBBS. I think not on Sunday.

The CHAIRMAN. Were any made on Monday after these orders were given for the officers to remain on board?

Mr. HOBBS. If my recollection serves me correctly it was not until Monday afternoon, until 1 o'clock, after the men had their dinners, that arrangements were made in case they were to land to get their belongings together, their equipments.

The CHAIRMAN. The equipments of such parties as went out from that ship consisted first of arms and ammunition, and then provisions?

Mr. HOBBS. They did not go on shore until after they had their supper that night, and they did not carry any provisions except some hardtack, which was taken, and then Mr. Moore and I were left on board ship to send provisions to them the next morning.

The CHAIRMAN. Do you recollect Mr. Stevens coming aboard ship on Monday?

Mr. HOBBS. I do. I remember that he came on board ship about 3 o'clock Monday afternoon. I saw him aboard ship. I did not have any conversation with him.

The CHAIRMAN. Had these orders and preparations for sending ships ashore been on foot before Mr. Stevens came on the ship?

Mr. HOBBS. I am unable to state accurately in regard to that, because it would not come within my supervision in any event.

The CHAIRMAN. But the order for the officers to remain on board ship was earlier?

Mr. HOBBS. Yes, in the morning.

The CHAIRMAN. Before Mr. Stevens came?

Mr. HOBBS. Oh, yes.

The CHAIRMAN. Are those unusual orders when a vessel is in port?

Mr. HOBBS. Yes, I should say so. But it happened on one or two occasions after the revolution, while Admiral Skerrett was there. I think there were one or two days when we were not allowed to visit the shore.

The CHAIRMAN. It created the expectation that there was to be some need for the troops?

Mr. HOBBS. It did.

The CHAIRMAN. Then you went in on Tuesday morning?

Mr. HOBBS. At 1 o'clock Tuesday morning I went ashore on duty.

The CHAIRMAN. Where were the United States troops then?

Mr. HOBBS. They were in a hall called Arion hall, in the rear of the opera house.

The CHAIRMAN. Quartered there?

Mr. HOBBS. Took up their quarters there at 8 o'clock the evening before.

The CHAIRMAN. How long did they remain there before going to Camp Boston?

Mr. HOBBS. About a week; Capt. Wiltse directed me to find the agent of the building and pay for its occupancy while our people were quartered there, which I did.

The CHAIRMAN. You had nothing to do with quartering the troops there, though?

Mr. HOBBS. No.

The CHAIRMAN. When the troops were at Camp Boston, did they put up tents?

Mr. HOBBS. No; they occupied a large house which belonged to Mr. Bishop, with large, extensive grounds. For that establishment I paid at the rate $75 per month. Mr. Damon, the agent, stated he had rented it for that purpose. That was since we were there. They rented at that rate, and we paid the same rate.

The CHAIRMAN. When you got off on Monday were all the troops at Arion Hall, or at different places?

Mr. HOBBS. A large portion of the marines were at the consul-general's office and about 12 at Mr. Stevens's house.

The CHAIRMAN. Were you present at any interviews between the Queen's ministers and the persons who were then conducting the Provisional Government.

Mr. HOBBS. No.

The CHAIRMAN. You know nothing of that?

Mr. HOBBS. No.

The CHAIRMAN. After the establishment of the Provisional Government, how long did you remain in Honolulu or Hawaii?

Mr. HOBBS. The ship *Boston?*

The CHAIRMAN. Yes?

Mr. HOBBS. Until—I think we left there on the 26th of September last.

The CHAIRMAN. You were not attached to any other ship?

Mr. HOBBS. No.

The CHAIRMAN. You came away with the *Boston?*

Mr. HOBBS. Came away with the *Boston.*

The CHAIRMAN. During that period of time, from the establishment of this Provisional Government until the time you left there, state whether peace and quietude and order prevailed in Honolulu, or were there outbreaks, public agitations?

Mr. HOBBS. Peace and quiet obtained all the time.

The CHAIRMAN. Testing the government in control of public affairs there with what you saw of the condition of the community, commerce. trade, and all that, would you say that is a good government or bad government?

Mr. HOBBS. I should say it was a good government.

The CHAIRMAN. At any time that you have been in Hawaii, have you seen any government that you thought was better than that?

Mr. HOBBS. No.

The CHAIRMAN. State whether you believe that the resources in command of that Provisional Government, after it had been established by men and money and arms and the support of the people, were such that the Queen, with what she had at her command and without assistance from foreign powers, could have overcome that government.

Mr. HOBBS. In my opinion she never could, never.

The CHAIRMAN. You think it would have been a rash and dangerous venture to undertake it?

Mr. HOBBS. I do.

The CHAIRMAN. Do you think now, without the assistance of foreign governments, the Queen could break down the Provisional Government?

Mr. HOBBS. I do not.

The CHAIRMAN. So that, as to these limits on power and authority, would you consider that the Provisional Government is a more permanent government than a royal government could be at this time?

Mr. HOBBS. I should say so—was at the time I left Honolulu.

The CHAIRMAN. And even up to now?

Mr. HOBBS. Yes; my confidence is stronger now. They are better able to defend themselves than they were when I left.

The CHAIRMAN. Do you think any man or set of men would be able by combination and conspiracy to put those native people into a state of hostility and belligerency and war toward the Provisional Government?

Mr. HOBBS. The native people.

The CHAIRMAN. Yes.

Mr. HOBBS. In my opinion it would be a very difficult thing to do.

The CHAIRMAN. You think a good strong army in respect of numbers could not be organized there under existing conditions?

Mr. HOBBS. Not of natives. I think 50 white men could go all through the islands.

The CHAIRMAN. You predicate that belief of the characteristics of the people?

Mr. HOBBS. Yes.

The CHAIRMAN. As I understand they are people who have been during all their career given to obedience?

Mr. HOBBS. Yes.

The CHAIRMAN. And the power that is backed by sufficient authority and resources to maintain itself is apt to be sustained by them.

Mr. HOBBS. Yes; I should say that without any reservation.

The CHAIRMAN. What is the general character for intelligence and good conduct and good motives and good purposes of those persons who are now engaged in the effort to govern Hawaii under the present organization called the "Provisional Government"?

Mr. HOBBS. I think it is a desire to have a good strong government, which they have not had during this dynasty. They have been in an unsettled state during the whole time of this reign. They have had revolutions about every year or two, and they have never felt that they have had good, substantial government.

The CHAIRMAN. Are you speaking of the reign of Kalakaua and Liliuokalani?

Mr. HOBBS. Yes.

The CHAIRMAN. You are not speaking of the Kamehameha reigns?

Mr. HOBBS. No.

Senator FRYE. Mr. Hobbs did not answer all of your former question.

The CHAIRMAN. Let the question be read.

The question was read as follows: "What is the general character for intelligence and good conduct and good motives and good purposes of those persons who are now engaged in the effort to govern Hawaii under the present organization called the Provisional Government?"

Mr. HOBBS. In my opinion they are the best men in the islands—men who are the most reliable and respectable in the islands that I know.

The CHAIRMAN. How would those men compare with the better class of people in the United States?

Mr. HOBBS. Compare most favorably.

Senator FRYE. In education and everything?

Mr. HOBBS. Education; yes, refinement and culture.

The CHAIRMAN. Have you ever seen any disposition on the part of

the ruling authorities there—the white people—to wrong or bear down upon the native Kanaka population?

Mr. HOBBS. No.

The CHAIRMAN. Is the reverse of that proposition true?

Mr. HOBBS. I should say so.

The CHAIRMAN. What seems to be the state of feeling between the Kanaka population and the white people, taking them at large—taking the different classes—whether it is friendly, agreeable, or hostile?

Mr. HOBBS. So far as I was able to observe that point I should say that it is favorable.

The CHAIRMAN. I suppose necessarily there must be some race jealousies there?

Mr. HOBBS. I think that is so, more particularly among the half whites than among the pure natives.

The CHAIRMAN. Would you say that there was a stronger condition of race jealously existing in Hawaii between the whites and the native Kanakas than there is in these States, Southern States, Washington—I will say between the whites and negroes?

Mr. HOBBS. Not so much.

The CHAIRMAN. Is it considered disreputable for a white man to marry a Kanaka woman?

Mr. HOBBS. No; many have done so.

The CHAIRMAN. But it is quite disreputable for a white man to marry a negro woman here.

Mr. HOBBS. Oh, certainly.

The CHAIRMAN. Take them in their churches, schools, business erlations, agricultural occupations and associations—take the whole thing together, does there seem to be any real hostility between these different races?

Mr. HOBBS. I should say not.

The CHAIRMAN. Do they live on amicable terms?

Mr. HOBBS. Yes.

The CHAIRMAN. And have good will and encouragement for each other?

Mr. HOBBS. I should say so, as a rule; yes.

The CHAIRMAN. Of course, the ordinary distinctions which are created by education and different methods of reasoning must make their impressions there as they do everywhere else?

Mr. HOBBS. In the social gatherings there you will see half castes and pure natives in society all together.

The CHAIRMAN. Is Hawaii a pleasant place for residence?

Mr. HOBBS. I liked it very much myself.

The CHAIRMAN. I speak now more particularly of the society of Honolulu and larger towns—Hilo?

Mr. HOBBS. I only know about Honolulu, and the society there is a delightful one. It is quite as refined as you would find in any town in the United States, go where you will.

The CHAIRMAN. Would you call the people there refined and intelligent?

Mr. HOBBS. Yes.

The CHAIRMAN. People of good tastes and aspirations?

Mr. HOBBS. Yes.

The CHAIRMAN. And people of broad intelligence?

Mr. HOBBS. Yes.

The CHAIRMAN. Had you ever heard from Captain Wiltse any obser-

vations at all that led you to think that he was disposed to participate in Hawaiian politics, Hawaiian affairs?

Mr. HOBBS. No.

The CHAIRMAN. Interfere in the slightest degree with the independence of that country?

Mr. HOBBS. No.

The CHAIRMAN. You know Captain Wiltse well?

Mr. HOBBS. Very well.

The CHAIRMAN. Have you had frequent conversations with him?

Mr. HOBBS. Yes.

Senator FRYE. So far as you know Captain Wiltse's purpose in landing troops was to protect the lives and property of Americans?

Mr. HOBBS. Yes.

The CHAIRMAN. Was that the understanding when the troops left the ship?

Mr. HOBBS. Yes.

The CHAIRMAN. To protect life and property?

Mr. HOBBS. The troops were ordered to take no side, but to remain passive in the troubles that were occurring—political troubles.

The CHAIRMAN. Could you detect any difference between the movement of the troops ashore from the *Boston* and the movement that took place twenty years ago, in 1874, when you were there, as to its purposes, objects, and motives?

Mr. HOBBS. I should say it was for the same reason.

The CHAIRMAN. So far as you know it all appeared to be for the same purpose?

Mr. HOBBS. Yes.

The CHAIRMAN. The preservation of life and property?

Mr. HOBBS. Exactly.

The CHAIRMAN. Did you have any suspicion or conjecture that those troops were sent there for the purpose of breaking up one government and erecting another?

Mr. HOBBS. Not the slightest. I did not know what was the purpose I did not figure it at all.

The CHAIRMAN. You did not think there was any such purpose?

Mr. Hobbs. No.

Adjourned to meet to-morrow, the 10th instant, at 10 o'clock a. m.

WEDNESDAY, *January 10, 1894.*

The committee met pursuant to adjournment.

Present: The chairman (Senator MORGAN) and Senators GRAY and FRYE.

Absent: Senators BUTLER and SHERMAN.

SWORN STATEMENT OF LIEUTENANT CHARLES LAIRD.

The CHAIRMAN. What is your rank in the Navy?

Mr. LAIRD. Lieutenant, senior grade.

The CHAIRMAN. When did you first visit the Hawaiian Islands?

Mr. LAIRD. On the arrival of the *Boston* there, August 24, 1892.

The CHAIRMAN. Were you much ashore after your arrival there?

Mr. LAIRD. Yes; most of the time when I was off duty I was ashore and met the people.

The CHAIRMAN. Did you have a great many acquaintances among them?

Mr. LAIRD. A great many.

The CHAIRMAN. What was the general state or condition of the people as to peacefulness and quietness after January, 1893?

Mr. LAIRD. It was generally quiet; but there was a great deal of tension on account of the numerous changes in the cabinet and the difficulties in the Legislature. At times in and about the club I would hear people, members of the Legislature, speak of the tension, and when the lottery bill was brought up for passage there was a great deal of tension amongst the people.

The CHAIRMAN. Do you mean that that occurred after the last change in the cabinet?

Mr. LAIRD. No; this was progressing with each change in the cabinet. The business portion of the community was more and more dissatisfied.

The CHAIRMAN. What cabinet was in when you went there—the Wilcox cabinet?

Mr. LAIRD. I can not tell. I know some of the members of the last cabinet. Mr. Parker was a member of the last cabinet.

Senator GRAY. Who was that?

Mr. LAIRD. Sam Parker.

The CHAIRMAN. I think he was a member of the last cabinet?

Senator FRYE. He was a member of the cabinet that displac
Wilcox cabinet. ed the

Mr. LAIRD. He was a member of the one that displaced the Wilcox cabinet—minister of foreign relations.

The CHAIRMAN. Did you know Mr. Parker?

Mr. LAIRD. Yes; very well.

The CHAIRMAN. Did you hear him speak of Hawaii and the various changes of the cabinet and the passage of the lottery and the opium bills?

Mr. LAIRD. I went to his house at various times, visited his family, and it was very seldom that he discussed politics. If he did it was in a light, frivolous way. He was 6 feet in height, but he had more of the characteristics of a child than of a full-grown man.

The CHAIRMAN. These discussions that you heard in the club were from other persons?

Mr. LAIRD. Yes; from other persons, people who would come there to get their luncheon.

The CHAIRMAN. Did you go with the *Boston* down to Hilo on that practice cruise?

Mr. LAIRD. Yes, I did.

The CHAIRMAN. When did you leave Honolulu?

Mr. LAIRD. We left on January 4 and returned on January 14.

The CHAIRMAN. At the time you left there were you aware of the existence of any public commotion or any threat against the integrity of the government, or opposition to it at all?

Mr. LAIRD. No. On the contrary, I was at a dinner with Mr. Irwin, who was Claus Spreckles's partner, and he expressed himself as being well satisfied with this new cabinet.

Senator FRYE. That was the Wilcox cabinet?

Mr. LAIRD. Yes; Mr. Wilcox, from Hawaii; P. C. Jones, Mark Robinson, and Cecil Brown, all men of very high standing in the community.

Senator FRYE. Was Mr. Irwin a man of wealth?

Mr. LAIRD. Yes; very large wealth; next to Mr. Spreckels the wealthiest man on the islands.

Senator FRYE. What business has he there?

Mr. LAIRD. A large commercial business, and also president of the bank.

Senator FRYE. Which bank?

Mr. LAIRD. Spreckels's bank.

The CHAIRMAN. So that at the time you left there you had no apprehensions of a civil outbreak or political disturbance?

Mr. LAIRD. None whatever. The first intimation we had was after we got back to Lahaina, on the 13th.

The CHAIRMAN. What did you hear there?

Mr. LAIRD. Lahaina is about 85 miles from Honolulu. One of the inter-island steamers came in, and the purser and Mr. Wilder, now Hawaiian consul at San Francisco, came over and brought the latest paper, which gave the information that the Wilcox cabinet had been turned out and a new cabinet appointed, and that the Legislature was to be prorogued the next morning. This information was communicated to the captain and also to Mr. Stevens; the orders had been already given for sailing the next morning, and no change was made; we sailed at the time set, and went over very leisurely, half-steam power. On the way over a pet dog fell overboard, and we lowered the lifeboat and consumed about two hours looking for the dog. We arrived in the harbor the next morning about 11 o'clock. I did not finish mooring the ship until after 12. Mr. Young was the only one who went ashore to visit the Legislature.

The CHAIRMAN. And participated in the ceremony?

Mr. LAIRD. An invitation had been sent to the ship for the officers to attend the prorogation. But all the other officers were engaged that morning, or were taking their midday meal, and did not care to go. Mr. Young was the only one who went. Whether or not he was detailed by the captain I do not know.

The CHAIRMAN. Do you know whether Mr. Stevens or Mr. Young left the ship first?

Mr. LAIRD. I think Mr. Stevens left first; I am quite sure he did. As we came into the harbor his daughter was in a small pull-away boat with some gentlemen. They pulled off to the ship, and Mr. Stevens went ashore probably a half hour before Mr. Young went.

The CHAIRMAN. This was the practice cruise that you made down *on the coast at Hilo, the island* at Hilo?

Mr. LAIRD. Yes. Target practice had been delayed on account of the unsettled state of affairs in the harbor, and the captain decided to go to Hilo for target practice. During the time that we were there Mr. Stevens and his daughter went up to the volcano with some of the officers. We found the sea too rough at Hilo for target practice, and the captain decided to go to Lahaina and hold target practice in the channel between the two islands, where we could get smooth water; we went back there and finished our practice on the afternoon of the 13th.

The CHAIRMAN. After your arrival at Honolulu, what time did you go ashore?

Mr. LAIRD. I did not go until Monday, when I landed with the troops. My duties were such that I could not go ashore; we are not allowed to leave the ship whilst on duty, and I therefore did not go ashore.

The CHAIRMAN. Did you have command?

Mr. LAIRD. I did.

The CHAIRMAN. What command?

Mr. LAIRD. The color company.

The CHAIRMAN. Describe what you saw.

Mr. LAIRD. I was on duty Monday afternoon when preparations were being made for landing. Mr. Stevens came on board during the afternoon. At half-past 3, Lieut. Commander Swinburne, the executive officer, came and told me that he would send a relief for me, one of the junior officers, and that I should see that my company was equipped in heavy marching order, and see that all the accouterments were in good condition. I did so. Shortly after that, probably about 4 o'clock, all the officers who were to land were called into the cabin by Captain Wiltse and his instructions were read to the officers.

The CHAIRMAN. Before getting to the instructions I will ask, were any preparations made for sending detachments ashore before Mr. Stevens's arrival on board ship that afternoon?

Mr. LAIRD. They had been. Mr. Young had gone ashore, and he brought back certain rumors on Saturday. Time was consumed in getting the ammunition out of the ammunition room, the gun carriages into the boats, and ammunition in the belts. Each man had 80 rounds of ammunition, and each one of these had to be placed in the belt separately, the magazines had to be filled in anticipation of having to land; these preparations were made.

The CHAIRMAN. Before Mr. Stevens' arrival?

Mr. LAIRD. Yes.

Senator FRYE. And in consequence of the various rumors?

Mr. LAIRD. The rumors that were passing around Saturday afternoon, Sunday, and Monday morning.

The CHAIRMAN. Do you mean that Mr. Young communicated these rumors to the captain?

Mr. LAIRD. He did communicate some; and other officers brought back such information as they found.

The CHAIRMAN. Do you know who they were.

Mr. LAIRD. I do not know.

The CHAIRMAN. Did any citizens come aboard ship before Mr. Stevens?

Mr. LAIRD. Not that I recollect.

The CHAIRMAN. Do you think you would have been aware of their presence if they had come?

Mr. LAIRD. I was officer of the deck. You mean Saturday.

The CHAIRMAN. On Monday morning. Mr. Stevens did not return until Monday afternoon?

Mr. LAIRD. He did not return until Monday afternoon.

The CHAIRMAN. I want to know if any citizen came aboad ship before Mr. Stevens came aboard.

Mr. LAIRD. That I can not state.

The CHAIRMAN. You were not officer of the deck?

Mr. LAIRD. I was officer of the deck in the afternoon, and I am quite sure none came.

The CHAIRMAN. What time did you go on duty?

Mr. LAIRD. At half past 12, and I was relieved at half past 3. If any citizens did come I did not see them. If any civilians came over the side and the quartermaster did not report to me he did not perform his duty. My duties would take me from the quarter-deck, and it would be the quartermaster's duty to report to me.

The CHAIRMAN. You were in charge of the color company?

Mr. LAIRD. Yes.

The CHAIRMAN. Blue jackets or marines?

Mr. LAIRD. Blue jackets.

The CHAIRMAN. Did you carry the national colors?

Mr. LAIRD. Yes.

The CHAIRMAN. You say that the officers were assembled in the cabin, and that Capt. Wiltse read his orders?

Mr. LAIRD. Yes, read the orders and instructions that were given to Mr. Swinburn. Mr. Stevens was sitting there at the time of this conference; and after a general discussion, into which I did not enter, I turned to Capt. Wiltse and asked him, "Now, Captain, how far will these orders and instructions which you have read, carry me in case I am detached from the main command and sent off to some other part of the city?" Capt. Wiltse turned to me and said, "My desire is that you remain neutral; you are to protect the lives and property of American citizens; you have been in Honolulu four months and have been going ashore and meeting the people and I must depend a great deal upon the discretion of my officers."

The CHAIRMAN. Was there anything in the orders or instructions you received that looked to the establishment of any government different from that of the Queen?

Mr. LAIRD. None. The burden of the orders was to look out for the lives and property of American citizens.

Senator FRYE. And that order of Capt. Wiltse was given in the presence of Mr. Stevens?

Mr. LAIRD. It was.

The CHAIRMAN. Did Capt. Wiltse on that occasion read any order from the Secretary of the Navy or admiral of the fleet?

Mr. LAIRD. No; I do not think he had any communication from the admiral of the fleet.

The CHAIRMAN. Did he read any orders to him?

Mr. LAIRD. I think he read an extract. I do not know what the extracts were made from. I understood one of the extracts was taken from his letter of instructions from the Department; but I can not say where they were taken from.

The CHAIRMAN. The authority and the intervention he made there were discussed?

Mr. LAIRD. No; we did not discuss; we had not the right.

The CHAIRMAN. I mean, they were explained by him.

Mr. LAIRD. Yes. His explanation, after reading over these instructions, was general—that we were sent ashore for the protection of life and property of American citizens. That was the burden of it. The instructions were contained on a piece of paper the size of that (indicating an ordinary note sheet).

The CHAIRMAN. At the time you left the ship, had you any knowledge of the existence of a committee of safety in Honolulu?

Mr. LAIRD. I knew by hearsay that such a committee had been formed.

The CHAIRMAN. Did you know anything about the Provisional Government having been established?

Mr. YOUNG. No.

The CHAIRMAN. Your information was that there had been a committee of safety organized?

Mr. LAIRD. Yes.

The CHAIRMAN. Proceed and state how you landed and what you did over there.

Mr. LAIRD. The boats landed at Brewer's wharf at about quarter to 5. The battalion was formed on Queen street, marched up Queen to Fort street. On Fort street the battalion was halted in front of the U. S. consulate. Here the marines under command of Lieut. Draper were detached with instructions to protect the U. S. consulate and the U. S. legation.

The CHAIRMAN. Up what streets did you march?

Mr. LAIRD. Queen, Fort, Merchant, and King streets.

The CHAIRMAN. Abreast of the consulate, and there the detachment was made?

Mr. LAIRD. Yes, and there Mr. Draper was given orders to guard the consulate and to send part of his force up the valley to the minister's residence. About one-fifth of the whole command was detached.

The CHAIRMAN. So that the consulate was left in the hands of that officer?

Mr. LAIRD. Left in the hands of Mr. Draper.

The CHAIRMAN. Well?

Mr. LAIRD. The main body marched up Fort to Merchant, from Merchant to King, and out the King street road. The Queen was standing on the balcony of the palace as we passed. We gave the royal salute by drooping the colors and a blast from the trumpet. We went a half mile beyond the palace and came to the halt. There I went to Lieut. Commander Swinburne and said that something should be done to house the men, as the weather was threatening.

The CHAIRMAN. What time was that?

Mr. LAIRD. About half past 5 o'clock.

The CHAIRMAN. Was it dark?

Mr. LAIRD. It was not dark.

Senator FRYE. Whom did you go to?

Mr. LAIRD. Lieut. Commander Swinburne; and he turned over the command of the infantry to me and went to see some of the citizens. Mr. Gunn was in the neighborhood, on horseback, and I think Mr. Charles Carter was there. Lieut. Commander Swinburne told me that Capt. Wiltse was down the street seeing if he could not find some covering for the men that night. When we went ashore we did not expect to remain more than a day or two at the most. We then marched up to Mr. Atherton's place, we stacked arms, and the men bivouacked there until 10 o'clock before a place was found.

Senator FRYE. Did it rain?

Mr. LAIRD. It did; there were casual showers; quite a number of light showers passed over during the time we were there. We got under way about 10 o'clock and started down the street. In order not to make any disturbance, the music was stopped. We halted in front of Arion Hall. I did not know before that there was such a place. It is situated immediately back of the opera house on Palace Square. It was used as a Mormon church, and all the chairs and all the paraphernalia were on the floor. A detachment was sent in and the hall prepared for occupancy; the men spread their blankets on the floor and on the front and back verandas.

The CHAIRMAN. As you marched up the street during your progress there, did you see any bodies of people assembled anywhere?

Mr. LAIRD. No, not more than usual. Natives were grouped around, and there was quite a group around the palace gate. But I would not call it a body of people. They were immediately around the palace gate and Government building gate.

The CHAIRMAN. You speak of Iolani Palace?

Mr. LAIRD. Yes.

The CHAIRMAN. How far is that building from the palace?

Mr. LAIRD. I suppose 150 yards.

The CHAIRMAN. Were there any persons in the palace enclosure beside the Queen?

Mr. LAIRD. I saw some members of the Queen's Guard. The gates were closed and 1 of the members of the guard was at the gate and 1 or 2 at the palace steps.

The CHAIRMAN. Was the Queen alone?

Mr. LAIRD. She was alone when I saw her on the balcony.

The CHAIRMAN. Was there any array of troops or policemen at the palace?

Mr. LAIRD. If there were I did not see them.

The CHAIRMAN. Were the persons around the palace numerous or scattering?

Mr. LAIRD. There were a great many more people on the street at that time of the evening than you would expect to find in Honolulu under ordinary circumstances.

The CHAIRMAN. I speak of the palace—immediately surrounding the palace. Were persons around there?

Mr. LAIRD. Directly in front of the palace, on the street, in the square there?

The CHAIRMAN. I am not speaking of that.

Mr. LAIRD. No; I did not see any one around the palace, except the guards of whom I spoke.

The CHAIRMAN. Guards at the step and one at the gate?

Mr. LAIRD. Yes.

The CHAIRMAN. Was there any alarm during the night?

Mr. LAIRD. I think there were two alarms of fire that night. Mr. Young had the guard. There were either two or three alarms of fire that night.

The CHAIRMAN. Did any men turn out?

Mr. LAIRD. I think Mr. Swinburne himself went out to see where it was, reconnoiter, and also sent an officer of the guard out.

The CHAIRMAN. Who was appointed officer of the day?

Mr. LAIRD. Mr. Young was officer of the day the day on which we landed.

The CHAIRMAN. The next morning, where did you go?

Mr. LAIRD. The next morning the regular routine was laid out—the men were confined in such a small place that it was necessary to keep them busy in order to keep them contented. The routine was laid out and continued there until we went down to Camp Boston.

The CHAIRMAN. How many days did you remain at Arion Hall?

Mr. LAIRD. Three days—three nights.

The CHAIRMAN. Then you went to Camp Boston?

Mr. LAIRD. Camp Boston.

The CHAIRMAN. How far away is that from Arion Hall?

Mr. LAIRD. Probably an eighth of a mile—little over.

The CHAIRMAN. Was that further from or nearer to the barracks than Arion Hall?

Mr. LAIRD. Further from the barracks; yes, decidedly.

The CHAIRMAN. And also the police station?

Mr. LAIRD. Nearer the police station.

The CHAIRMAN. How long did your detachment remain at Camp Boston after you got there?

Mr. LAIRD. Until 11 o'clock on the morning of April 1.

The CHAIRMAN. During the time you stayed there, were patrols sent out through the city?

Mr. LAIRD. Not for the purpose of patrolling the city. Men were sent out for drill in various directions in order to give them exercise but they were not sent out in the nature of a patrol.

The CHAIRMAN. Do you say there was no patrol established in Honolulu by your troops?

Mr. LAIRD. Not on the streets.

The CHAIRMAN. I mean outside of your own camp.

Mr. LAIRD. Not outside of our own camp.

The CHAIRMAN. You confined your duties to the protection of your camp?

Mr. LAIRD. Directly to having the men remain in camp, and no man was allowed to go out except on duty during the first two weeks we were there.

The CHAIRMAN. During that time was there turbulence in the city?

Mr. LAIRD. No; the city was quiet. There were a great many rumors of threatened action on the part of the Queen's followers; but there was no disorder of any kind.

The CHAIRMAN. Were you aware of any attempt at an opposition to the Provisional Government—I mean armed opposition?

Mr. LAIRD. There was not. I saw a number of rumors in that regard in the papers, but personally I was not aware of it.

The CHAIRMAN. At what time was the surrender of the Queen's military establishment made—troops and munitions of war?

Mr. LAIRD. That I can not state. I know they were the last to surrender. I think it was on the evening of the 18th.

The CHAIRMAN. Did they surrender after the police had surrendered that were under Wilson's command?

Mr. LAIRD. Yes. I think the Provisional Government allowed the Queen to retain them simply as a matter of courtesy, not that they feared them at all.

The CHAIRMAN. Retain the police?

Mr. LAIRD. No; retain her own personal guard. After they did surrender, a certain number was allowed to remain with her.

The CHAIRMAN. After the surrender took place?

Mr. LAIRD. After the surrender of the Queen's body guard they allowed her to retain a certain number.

Senator GRAY. That was after her abdication?

Mr. LAIRD. Oh, certainly; some time after.

The CHAIRMAN. Were these men allowed to remain?

Mr. LAIRD. I do not know.

The CHAIRMAN. Were any police retained for the protection of her property?

Mr. LAIRD. Of the municipal police?

The CHAIRMAN. Yes.

Mr. LAIRD. I can not say. She was given all the protection that she required. If she did request a detail of police, I am quite sure it was given.

Senator GRAY. Why are you sure; because of the general conduct of the Provisional Government?

Mr. LAIRD. They were very lenient.

Senator GRAY. You knew what was going on with the Provisional Government.

Mr. LAIRD. Yes.

The CHAIRMAN. Were you present at the time Wilson gave up control of the police?

Mr. LAIRD. No.

The CHAIRMAN. Did you see them at any time in the city?

Mr. LAIRD. No. That was in an entirely different portion of the city than Arion Hall—half a mile away.

The CHAIRMAN. You confined yourself to your military duties while you were there?

Mr. LAIRD. Confined ourselves to the precincts of our own camp. Officers were not even permitted to go out; that is, during the first two days.

Senator FRYE. Did you know Minister Stevens well?

Mr. LAIRD. Yes; I know him quite well. I have visited his family quite frequently and met him quite frequently.

Senator FRYE. What estimate did you form of his character as a minister?

Mr. LAIRD. Remarkably good; think he was a man who was very attentive to his duties, and would consider him a very careful man.

Senator FRYE. Did you see in him, or hear from him at any time in all your acquaintance with him, any purpose of overthrowing the existing Government of Hawaii and establishing a new one?

Mr. LAIRD. The only remarks I ever heard him make in regard to it was on the *Boston* down at Hilo. He lamented the general condition of the Government, and seemed to be relieved that the Wilcox cabinet had been formed.

Senator FRYE. Did you have any conversations with Minister Stevens while he was on the ship going down to Hilo?

Mr. LAIRD. Quite a number; yes.

The CHAIRMAN. State whether or not he made any expressions about the continuance of the Wilcox cabinet—the length of time it would probably continue?

Mr. LAIRD. I feel confident that he expected thoroughly that the Wilcox cabinet would hold after the Legislature was prorogued.

Senator FRYE. That was two years?

Mr. LAIRD. Yes, hold for two years until the next election. He spoke about the peace, the possibility of peace and quiet to the country, and his desires to wind up his affairs and go home.

Senator FRYE. Was there any indication given to you or to any of the officers in your presence, of a desire on the part of Mr. Stevens to interfere in the government of the islands?

Mr. LAIRD. None that I had ever seen.

Senator FRYE. Do you yourself personally know what request Mr. Stevens made of Capt. Wiltse when he came on board the *Boston* that afternoon at 3 o'clock?

Mr. LAIRD. I do not.

Senator FRYE. Shortly after Minister Stevens came on board it was that in his presence and in the presence of all the officers that Capt. Wiltse issued the orders for shore duty and what should be done while on shore?

Mr. LAIRD. Yes.

Senator FRYE. State whether or not while the troops were on shore there was any location of them made with any purpose of overawing the Queen or sustaining the Provisional Government?

Mr. LAIRD. None whatever. At the time the Provisional Government took charge I do not think there was anyone in the camp but Lieutenant Swinburne knew what was going to take place. They may

have known it, but I was officer of the day and I heard nothing about it. The men were on drill at the time the proclamation was read. We heard of that shortly afterward; but our drill continued, and when the policeman was shot down in the street I went to Lieut. Commander Swinburne and requested to take command of my own company, and that the men on guard for the day should be sent to the company, which was done. During the time of the reading of the proclamation drill was being held in the rear of the building; a number of the men on guard detail were lounging around on the front porch.

Senator FRYE. State whether or not at anytime while you were on shore—during the four days of the revolution—your troops were allowed to march through the streets at all, except when you landed?

Mr. LAIRD. No.

Senator Frye. They were confined to their own barracks?

Mr. LAIRD. They were confined to their own quarters until after the third night.

Senator FRYE. I mean during the time you were at Arion Hall.

Mr. LAIRD. Yes; we had dress parade immediately in front of the opera house; but they did not go away from that vicinity. There was not more than from three-quarters of an acre to an acre of ground back of Arion Hall, and we had to get the men out for exercise.

Senator GRAY. That was the only place to drill?

Mr. LAIRD. The only place to drill.

Senator GRAY. In front of the opera house?

Mr. LAIRD. In front of the opera house.

Senator GRAY. In the street?

Mr. LAIRD. In the street. It was a triangular square.

Senator FRYE. While you were there did you have any knowledge of the Queen's forces, both national guard and police? What did they amount to?

Mr. LAIRD. No; I did not.

Senator FRYE. Was there any attempt while you were there made on the part of the Queen's troops to overturn the Provisional Government—to interfere with the mass meetings that were held?

Mr. LAIRD. None that I saw, and none that I heard of.

Senator FRYE. Do you know of any officers or soldiers of the Boston who took any part whatever in the dethronement of the Queen?

Mr. LAIRD. None.

Senator FRYE. Or in the establishment of the Provisional Government?

Mr. LAIRD. None.

Senator GRAY. Where did you land?

Mr. LAIRD. We landed at Brewer's wharf.

Senator GRAY. Please state where you marched.

Senator FRYE. Show it by streets.

Senator GRAY. Yes; call the streets, so that the stenographer may get them.

Mr. LAIRD. (indicating on the diagram). I do not think the street where we landed has any name. We landed at Brewer's wharf; we marched up through Merchant street.

Senator GRAY. The whole battalion?

Mr. LAIRD. We formed on Queen street, and we marched down Queen street to Fort, and up Fort street to Merchant to the consulate; at the consulate the marines were detached.

Senator GRAY. You marched down Queen street to Fort street to the consulate, where the marines were detached?

Mr. LAIRD. Yes.
Senator GRAY. How many marines were there?
Mr. LAIRD. Thirty-six.
Senator GRAY. Mr. Young said there were thirty-two.
Mr. LAIRD. Thirty-six would be the full company. We had music with us. They were one-fourth of the whole command.
Senator GRAY. How much was the whole command?
Mr. LAIRD. One hundred and sixty-two.
Senator GRAY. That is about a fifth.
Mr. LAIRD. About a fifth. We marched up Merchant street, passed the palace at King street, and went away out here to Mr. J. B. Atherton's.
Senator GRAY. Who is he?
Mr. LAIRD. He is an American.
Senator GRAY. What does he do.
Mr. LAIRD. He is an American citizen. I think he is a missionary.
Senator GRAY. Are these squares all built up there?
Mr. LAIRD. They are very large holdings.
Senator GRAY. Is it built up there?
Mr. LAIRD. The squares are not built up with houses.
Senator SHERMAN. This diagram shows the streets as they are improved. Where is Arion Hall?
Mr. LAIRD [indicating]. Right there.
Senator GRAY. Is it built up in this part of the town; is that the thick part of the town?
Mr. LAIRD. No; this [indicating] is the thick part of the town, down here.
Senator GRAY. You halted at Mr. Atherton's?
Mr. LAIRD. We halted once before getting to Mr. Atherton's.
Senator Sherman. Are all these houses [indicating]?
Mr. LAIRD. Yes; they are large houses, with the lots about them. The town is not thickly settled in that portion. Some distance past the palace we stopped halfway to Mr. Atherton's place, but it was some distance from the palace, so that we were entirely free from the palace or anything taking place at that time.
Senator GRAY. Then you marched to Mr. Atherton's?
Mr. LAIRD. Yes.
Senator GRAY. Then you halted for a considerable time because of the showers of rain?
Mr. LAIRD. Yes. We made one halt before getting there.
Senator GRAY. Beyond the palace?
Mr. LAIRD. Yes.
Senator GRAY. You marched there and stacked arms, and then went to the Government hall?
Mr. LAIRD. Yes.
Senator GRAY. Did you fix the hour when you were present in the captain's cabin with the officers who were detailed for shore duty and Mr. Stevens?
Mr. LAIRD. It must have been about 4 o'clock, because I had been relieved a short time before, and I went down to pack my haversack, to make my preparations to go ashore when I was sent for.
Senator GRAY. When you asked the captain for some instructions which he was giving you he applied himself to reading extracts from the general orders by the Secretary of the Navy?
Mr. LAIRD. He read that before, and he turned to me and gave the

instructions verbally in regard to placing a certain amount of discretion on his officers.

Senator GRAY. Was that all the conversation that occurred at that time?

Mr. LAIRD. All that I recollect.

Senator GRAY. Did he say anything to you about preventing fighting in the streets, or in your hearing say anything of that?

Mr. LAIRD. No.

Senator GRAY. Did Mr. Stevens go ashore before the troops did?

Mr. LAIRD. I could not say, because immediately afterward I went down to make my preparations for packing my knapsack and haversack, and did not go on deck until the troops were formed.

Senator GRAY. Then, you have already said, or I understood you to say, that the military discipline was strict, and you and the other officers confined yourselves to military duties?

Mr. LAIRD. Military duties.

The CHAIRMAN. Did not interfere with the politics of the place?

Mr. LAIRD. The first two or three days we were not permitted to go out of the inclosure.

The CHAIRMAN. You confined yourself to military duties?

Mr. LAIRD. Entirely so.

The CHAIRMAN. And when the proclamation of the Provisional Government was being read you were engaged in assisting the drilling of the battalion in front of the Opera House?

Mr. LAIRD. No, not in front of the Opera House at the time; they were in this little narrow inclosure.

Senator GRAY. I understood you to say that you drilled in front of the opera house.

Mr. LAIRD. No, some one asked if we marched down the street.

Senator GRAY. You usually drilled in front of the opera house?

Mr. LAIRD. That was in parade or battalion drills.

Senator GRAY. You were not there on Tuesday at any time in dress parade?

Senator FRYE. At the time you took possession of the Government building?

Mr. LAIRD. We did not have dress parade that day.

Senator GRAY. You landed there Monday. Did you have dress parade next day?

Mr. LAIRD. We did not.

Senator GRAY. The only drill you had was that?

Mr. LAIRD. Back in this lot. The companies were being drilled independently by their own company officers.

Senator GRAY. Did you have sentries posted around the outside?

Mr. Laird. Yes.

Senator GRAY. Posts on the street?

Mr. LAIRD. Had regular posts.

Senator GRAY. They were on the streets as well as in the inclosure?

Mr. LAIRD. They had to be, necessarily. There was only one sentry outside the line of the fence from the building itself. The picket fence was about as far as from here to the window [a distance of about 8 feet], and one sentry was posted out there to look out for our own people. The limits of his post were the front of the building.

Senator GRAY. Did the Government hall touch on the street, or was it back inside the fence?

Mr. LAIRD. Inside the fence, and fronted a small alley-way. Here

is the main street [indicating]. This [indicating] is a narrow street, not much frequented.

Senator GRAY. What sort of fence is there?

Mr. LAIRD A picket fence on this side and a picket fence on both sides. There was a roadway that came down there from the opera house, and the Japanese commissioner lived in this house [indicating], so that we did not encroach upon his territory at all.

Senator GRAY. There was a picket fence here [indicating]?

Mr. LAIRD. Our province was a little beyond the building itself.

Senator GRAY. And the lot in which you were stationed was inclosed by a picket fence?

Mr. LAIRD. A picket fence, probably 4 or 5 feet in height.

Senator GRAY. There was no disturbance that afternoon, Tuesday, after the proclamation of the Provisional Government, and around in the neighborhood of where you were?

Mr. LAIRD. No.

Senator GRAY. Around the Government building?

Mr. LAIRD. No.

Senator GRAY. Were you in a place to have seen it if there had been?

Mr. LAIRD. After the drill was over I walked out in front, in the roadway, to see if there was any assemblage of people.

Senator GRAY. Were you aware that the proclamation was being read?

Mr. LAIRD. No.

Senator GRAY. You did not see any of it?

Mr. LAIRD. Did not see it and did not know it.

Senator GRAY. Until you were told?

Mr. LAIRD. No.

Senator GRAY. There was no disturbance there?

Mr. LAIRD. No.

Senator FRYE. Was there any difficulty that night about finding quarters for your troops?

Mr. LAIRD. There must have been great difficulty, or the men would not have been kept out until half past 9.

Senator FRYE. Were there men out seeking quarters?

Mr. LAIRD. Yes.

Senator FRYE. And you did not get them until 9 o'clock?

Mr. LAIRD. It was later than that.

Senator FRYE. Do you know whether Arion Hall was selected with any reference at all to the Queen's Government or Provisional Government?

Mr. LAIRD. I have no such knowledge. I do not think it was. It was accidental—it was available.

Senator FRYE. And the only one, so far as you could find out, that was available? Was there anything in the location or disposition of the troops which prevented the Queen's troops from dislodging the men who took possession of the Government buildings?

Mr. LAIRD. No, I do not think there was.

Senator FRYE. Under your orders, if the Queen's troops had undertaken to repossess themselves of the Government buildings, had you any right to interfere?

Mr. LAIRD. I would have been obliged to obey Mr. Swinburne's orders.

Senator FRYE. I say, under the instructions?

Mr. LAIRD. Under the instructions, no.

Senator FRYE. In Mr. Blount's report he states that the Queen's

troops could not have done anything touching the Government buildings really without firing upon the American troops.

Senator GRAY. Quoting Admiral Skerrett for that opinion.

Senator FRYE. No; I do not think Admiral Skerrett gives that as his opinion.

Mr. LAIRD. I do not see how we could interfere in any way with the Queen's forces or Government forces.

Senator FRYE. I do not, from the maps, if the maps are correct. Did you at any time while you were there learn the extent of the Queen's troops and the Queen's police?

Mr. LAIRD. No, I did not.

Senator GRAY. Did you intend to allow any fighting over across the street from you?

Mr. LAIRD. I was under the immediate orders of Lieut. Swinburne at the time, and I would have been obliged to obey his instructions. I could not use my own judgment; he was the senior officer.

Senator GRAY. How long did you stay on shore?

Mr. LAIRD. We were on shore from the 16th of January until the 1st of April.

Senator GRAY. How far was Camp Boston from the landing place?

Mr. LAIRD. It was right in the heart of the city itself.

Adjourned until to-morrow, 11th instant, at 10 o'clock a. m.

WASHINGTON, D. C., *January 11, 1894.*

The subcommittee met pursuant to adjournment.

Present: The Chairman (Senator MORGAN) and Senators BUTLER, GRAY, and Senator DOLPH of the full committee.

Absent: Senators SHERMAN and FRYE.

SWORN STATEMENT OF JAMES H. BLOUNT.

The CHAIRMAN. What time were you first informed of your selection by the President as the Commissioner to go to Hawaii?

Mr. BLOUNT. The first intimation I had on the subject of my going to the Hawaiian Islands is contained in this dispatch, which I read:

"WASHINGTON, D. C., *March 10, 1893.*

"Hon. JAMES H. BLOUNT,
Macon, Ga.:

"By authority I ask can you come here immediately prepared for confidential trip of great importance into Pacific Ocean? Answer."

The CHAIRMAN. Was that signed by Mr. Gresham?

Mr. BLOUNT. No; by Hoke Smith.

The CHAIRMAN. You came in accordance with that request?

Mr. BLOUNT. Yes. And if you will allow me I would say when I first got the telegram I made up my mind very promptly that I would not go; I did not want to go at all. My son opened the dispatch and found out what it was, and in that way was induced to bring it up to my house. I was at home. He asked me what I was going to do about it, and I said I was not going. I then showed it to his mother, and told her that I was not going. After some little while my son said, "Father, mother's health is very bad, and I think it would add five years to her life to go;" and under that appeal from him I said, "I will do anything for your mother's benefit; I will go." I then sent

a telegram. I do not recollect its purport. I meant to give them to understand that I would come on to Washington.

The CHAIRMAN. When you came here you were informed of the place to which you were to be sent and the nature of your mission?

Mr. BLOUNT. When I got here I went to see Mr. Hoke Smith, the Secretary of the Interior, and we went over to see the President, to pay my respects. I learned from Mr. Smith, not from the President, that the object in sending me over to the Hawaiian Islands was to make an investigation in regard to the revolution.

The CHAIRMAN. At that time did you have any prepossessions in regard to the condition of affairs in Hawaii?

Mr. BLOUNT. No.

The CHAIRMAN. You had formed no fixed opinions about it?

Mr. BLOUNT. No. Two years ago, when I was chairman of the Committee on Foreign Relations of the House of Representatives, Mr. Thurston, with Mr. Mott Smith, came to the committee room and wanted to know if the Democratic party would consent to the annexation of the Hawaiian Islands. I said to him, without telling him my reasons, "You had better see the Secretary of State about it."

The CHAIRMAN. Was that while John W. Foster was Secretary of State?

Mr. BLOUNT. I do not know. I think he was not at that time.

The CHAIRMAN. Blaine then was Secretary of State?

Mr. BLOUNT. Blaine. Did I say Foster?

The CHAIRMAN. No; I asked if Foster was Secretary of State.

Mr. BLOUNT. He said to me, "I am a member of the Legislature and I mean to endeavor to bring about the annexation of the islands." Mr. Smith heard it. I said nothing at all; I had no authority at all from anybody on the subject, and I did not think I ought to be talking, especially to a gentleman who came in there talking about a movement of that sort. I thought he was a pretty uppish sort of person, and thought no more about it. Mr. Foster sometime in the month of February showed me a letter from Mr. Stevens, of November 20.

Senator GRAY. November 20, 1892?

Mr. BLOUNT. I think that was the date. I saw the newspaper accounts, and I was a little apprehensive; I thought there might be something wrong. But I had no idea about the condition of things at all

The CHAIRMAN. Has that letter been printed?

Mr. BLOUNT. Yes. The opinion that I reached was developed by events after I got there.

The CHAIRMAN. Got to Hawaii?

Mr. BLOUNT. Yes. I was never more determined to be careful and hear the truth than I was on that occasion. The situation I was in was rather painful to me. I met those people on one side and the other with a great deal of freedom. It was important for me not to take any position one way or the other, because the most simple thing I might say would be likely to be construed as significant; so that I was left without anybody to consult, and it made my progress very slow. For some weeks in my house there was not fifteen minutes interval that there was not somebody there, from the time I got my breakfast until bed time at night—people of the several political parties; all were as cordial and as courteous as they could be.

Senator GRAY. On both sides of this question?

Mr. BLOUNT. Yes.

The CHAIRMAN. You were visited by the native population of Hawaii? I call them the Kanakas.

Mr. BLOUNT. Yes. I was visited by all. I felt I was there to make an investigation, and I thought it was my duty to see the people.

The CHAIRMAN. Did they come there voluntarily to see you, or did you send out for them?

Mr. BLOUNT. They came voluntarily. The truth of it is, it got to this point that I commenced to take testimony, and I was so much interrupted that I saw that it was necessary for me to fix a time for work and the time when I would see anybody. So that I refused to see anybody except the Government officials until after 2 o'clock each day.

The CHAIRMAN. We will get back to the starting point of this matter. When you saw the President did you have any conversation with him about the objects of your mission to Hawaii?

Mr. BLOUNT. No, not especially. He seemed to understand that I was there for the purpose of making the investigation.

The CHAIRMAN. My question referred to the President of the United States.

Mr. BLOUNT. Repeat the question.

The question was read as follows:

"When you saw the President did you have any conversation with him about the objects of your mission to Hawaii?"

Mr. BLOUNT. No.

The CHAIRMAN. Did the President undertake to inform you of his opinions in regard to the situation in Hawaii?

Mr. BLOUNT. Not in the slightest degree. And I never had at that time nor after I left any intimation as to what the President thought about it or felt. I was impressed with the belief that he wanted information.

The CHAIRMAN. Did he intimate or indicate in any way whether he was in favor of or opposed to the annexation of the islands?

Mr. BLOUNT. Not in the slightest. On the contrary, he said to me—just a casual thing—"I understand from Mr. Springer that the Democrats in the House of Representatives are inclined to favor annexation." Seemed to be an inquiry. I said "I think Mr. Springer is in error about that; my impression is that the feeling in the House is that the members are not satisfactorily informed." He seemed, then, as though he had made a mistake, and said, "I ought not to have mentioned that," and he never said anything more. The impression made on my mind was that he was afraid he might give me some impression of his opinion or inclination.

The CHAIRMAN. Was that impression changed in any communication that you had with him at any time before you went to Hawaii?

Mr. BLOUNT. Never.

The CHAIRMAN. From whom did you receive your instructions as to the mission you were to perform?

Mr. BLOUNT. From the Secretary of State.

The CHAIRMAN. Were the instructions in writing?

Mr. BLOUNT. Yes.

The CHAIRMAN. Are they set forth in your report?

Mr. BLOUNT. Yes.

The CHAIRMAN. Did you receive from the Secretary of State any instructions except those that are in writing?

Mr. BLOUNT. I did not.

The CHAIRMAN. That, then, was the limit and the bound of your authority and course in Hawaii?

Mr. BLOUNT. Yes. I might, perhaps, say that the Secretary of State expressed the opinion that there was no principle of international law

that he thought justified the hoisting of the American flag—the establishment of an American protectorate there, and his idea was that it ought not to be continued.

Senator DOLPH. That it ought not to be continued?

Mr. BLOUNT. Ought not to be continued. But I understood from him that that was a matter largely in my discretion. There was no desire to make any change if it involved bloodshed. I took the impression generally that the opinion of the Secretary of State was that the flag had better be removed, if it was feasible to do it.

The CHAIRMAN. Did you receive from the Secretary of State any orders or directions based upon his view of the merits or demerits of the revolution which was alleged to have taken place in Hawaii?

Mr. BLOUNT. No.

The CHAIRMAN. The opinions he expressed to you, as I understand, had reference to the matter of raising the flag and removing the protectorate over the islands?

Mr. BLOUNT. Yes; that was the extent of it.

The CHAIRMAN. That your commission—did you have a regular commission?

Mr. BLOUNT. I think that appears in the President s communication.

Senator GRAY. Your letter of appointment?

Mr. BLOUNT. Yes.

Senator GRAY. It was not a regular commission, was it?

The CHAIRMAN. Was there anything beside that letter?

Mr. BLOUNT. Let us see what paper was there?

Senator GRAY. The paper will speak for itself.

The CHAIRMAN. I did not know that it had gotten in the report.

Senator GRAY. It will speak for itself, if there be nothing beside that.

Mr. BLOUNT (referring to his report). This recites that on the 11th of March, 1893, I was appointed special commissioner to the Hawaiian Islands with instructions. These are the papers, and I guess you have the instructions in there.

The CHAIRMAN. Had you any commission independently of this?

Mr. BLOUNT. No.

The CHAIRMAN. Did you take any oath of office?

Mr. BLOUNT. I do not think I did—not as commissioner; I took the oath of office as minister.

The CHAIRMAN. That was later?

Mr. BLOUNT. Yes.

The CHAIRMAN. I will come to that after awhile. Now, at the time you left here the Senate was in session, what we call executive session, rather at the time you got your appointment?

Senator GRAY. We know that. It was in session from the 4th of March or 5th of March, was it not?

The CHAIRMAN. Yes. Now, state whether it was your purpose to confine yourself in your operations in Hawaii in the execution of this commission of the President to the instructions you received, having reference, of course, to the discretion which was confided to you in respect to those orders.

Mr. BLOUNT. It was not only my purpose, but I did it as rigidly as I ever did anything in my life.

The CHAIRMAN. Was your judgment, which you have given, your opinion here in your report in regard to the situation of affairs in Hawaii, and the regularities or irregularities that attended the conduct of the minister of the United States in connection with that revolution in any wise influenced by your desire either to promote or to prevent or retard the annexation of Hawaii to the United States?

Mr. BLOUNT. I would hate to think so. I had the idea that I was to conduct myself in decency and pursue the inquiry with fidelity.

The CHAIRMAN. The question is asked you to enable you to give an affirmative answer.

Mr. BLOUNT. Well, I will say no. What is the question?

The question was read as follows:

"Was your judgment which you have given, your opinion—your report in regard to the situation of affairs in Hawaii and the regularities or irregularities that had attended the conduct of the minister of the United States in connection with that revolution—in anywise influenced by your desire either to promote or to prevent or retard the annexation of Hawaii to the United States?"

Mr. BLOUNT. I am not conscious of any such feeling. On the contrary, I was impressed when I came to the investigation with the conviction that I had very much at stake. I had confidence in the integrity and high purposes of the President, and felt that I could give him no higher offense than to misinform him. I felt that any other than a truthful, an exhaustive, and impartial examination would bring about the contempt of the American people. I was, therefore, timid—over cautious, perhaps, in all my conduct in reference to it. I kept from their social life. I did not intimate any opinion to these people one way or the other. When I left those islands nobody had any idea, so far as I could gather, what my report was. Each side claimed in the newspaper that I was in favor of it. I studiously avoided communicating anything to anybody, and I turned the facts over and over again in my mind. I felt that I was alone, without anybody on earth to consult with, counsel with, and I often felt the need of somebody to advise with. But there was no impartial person to whom I could talk at all, and so the responsibility I felt the greater, and went on in that groove to the end.

Senator GRAY. Was party feeling running high there?

Mr. BLOUNT. Very high, very high.

The CHAIRMAN. You seem to have taken some of the testimony submitted to you upon oath, and other parts are without being sworn to. Did you administer the oaths to these witnesses yourself or did you have it done by the authorities of the islands?

Mr. BLOUNT. I had no authority to administer an oath. It was a very delicate thing for an American to call upon those people to take an oath, especially members of the Provisional Government, and wherever I had the time I would take the testimony down in shorthand, and had the stenographer write out the shorthand and the witness certify to its correctness. I used him, the stenographer, all I could in that way. The communications would come in; some of them I did not think much of, and some I did. There was no opportunity to cross-examine.

Senator GRAY. Any written statements?

Mr. BLOUNT. Written statements, yes. I did not like very much to take them. It occurred to me, I am down here, I can take these things and weigh them; I shall know all about the parties and topics and if they are not pertinent I can discard them; and when I came to make up my report I said, all these things have been here with me; I will put them in this testimony and let all go along. The statements were sometimes from one side and sometimes from another.

The CHAIRMAN. Not being authorized to administer an oath you received such statements as they brought to you?

Mr. BLOUNT. They would hand them to me, and I would take them and look at them.

Now, Mr. Chairman, there is one statement that this observation does not apply to, and as you have invited my attention to the matter I think it proper to say this. You will find a statement there in the form of a colloquy between W. O. Smith and Mr. Cooper and Mr. Cassell. The circumstances about that I wish to state. On one occasion I said to the President and members of his cabinet, "I would be very glad to have the statement of you gentlemen at any time if it is agreeable to you."

The CHAIRMAN. You are referring now to President Dole and his cabinet?

Mr. BLOUNT. Yes. "I can conceive of reasons why you might not desire to do it." I did not state what they were, and they made no response and gave no indication of a desire to be examined. The attorney-general——

The CHAIRMAN. Who was he?

Mr. BLOUNT. W. O. Smith. He came one day, as he did often, to the house where I stopped, and I said to him, "I would like to examine you." He agreed to it.

Senator GRAY. He agreed to it.

Mr. BLOUNT. He agreed to it. The time came for him to be examined and he said, "I would rather not be examined. I will bring you a paper, which is the history of the revolution, prepared by myself and some other gentlemen, and I will hand that to you." He brought this paper. He said it contained most of the history of the revolution, some unimportant matters only were omitted. I said, "Would you object to my seeing those?"

Senator GRAY. Seeing what?

Mr. BLOUNT. The unimportant matters. It was something left out. He hesitated and said, "Well, I will speak to Mr. Dole about it." I afterwards mentioned it to him again, and he answered he had not. I think that was about it. I did not pursue the matter further. You can readily understand my relations to the Provisional Government; they were of very great delicacy. Mr. Cooper, another gentleman in this colloquy, I invited to be examined. He came at a time when somebody else was being examined. I was a good deal crowded by lack of clerical force, and said to Judge Cooper, "Won't you sit down and write me out carefully a statement of the facts of this revolution?" He said, "Yes." Well, he apologized for not doing it once or twice on account of his court. But this paper never came. He never alluded to the matter again.

The CHAIRMAN. Did he not bring the paper to you or send it to you?

Mr. BLOUNT. Mr. Smith brought a paper.

The CHAIRMAN. After that Judge Cooper never made any statement to you?

Mr. BLOUNT. Never made any statement.

The CHAIRMAN. I want to ask you whether opportunity was accorded by you to all the members of that Provisional Government to make their statements of the history of the transaction?

Mr. BLOUNT. As I have already stated on my own motion, I said to the President and cabinet together, I would be very glad to examine you gentlemen.

The CHAIRMAN. And what you have put in your report is all you have received in reply to that suggestion?

Mr. BLOUNT. Everything in the world.

Senator BUTLER. I see in some criticisms of the testimony which you have taken, quite severe attacks upon the character of some of the witnesses. Did you adopt the usual method of ascertaining the qual-

ity of the testimony, if I may use that expression, examine such witnesses as were available?

Mr. BLOUNT. Before I examined any witnesses I received everybody, heard what everybody said, and saw a good deal of the people, and judged as best I might as to the character of the witnesses. You can readily see that with this statement I could not pursue the methods that I would pursue here. If I were to go into the matter of the examination of the witness, say of the royalist side, and his statement was made known to the public immediately, you would find an outcry perhaps in the press about treasonable purposes, about opposing the Government, etc. There was an intense amount of feeling, and therefore I could not, on the ground of these attacks, do as suggested. If they had not been made in the press, I knew these feelings existed. Whom could I call on to say would you believe this man on his oath? I never allowed, so far as I could govern it, any one to know whom I had examined. I never allowed an annexationist to know I had examined a royalist, and never allowed a royalist to know I had examined an annexationist. The secrecy of my examination was the only way in which I could make a full investigation.

Senator BUTLER. In other words, you availed yourself of the best testimony you could get under the circumstances?

Mr. BLOUNT. I did.

The CHAIRMAN. The communications that were made to you, I understand from your statements, you kept entirely secret?

Mr. BLOUNT. Nobody saw them until they were seen in this country, in this Capitol, besides myself and my stenographer.

The CHAIRMAN. I will ask you, in the disturbed state of affairs in Hawaii, whether it would or would not have been impracticable to have obtained a full statement, frank statement, about the participation of these men in the revolution on the one side or the other, because of an apprehension in certain events they might be held responsible by whichever Government proved to be the permanent Government?

Mr. BLOUNT. Possibly so. I am quite sure that that was true in reference to the people who were not in power, and I rather think the President and cabinet preferred not to be examined, because of the changes that might occur. But I could not say that I could give you tangible, substantial reasons for it. It was that I had in mind—I did not tell them so—when I said, "I should like to have your testimony; I can conceive of reasons why you might not want to testify."

Senator GRAY. Your feelings and theirs both were ones of delicacy?

Mr. BLOUNT. Yes.

The CHAIRMAN. And on the other hand there might be apprehension in the change of government of criminal prosecutions, because of the information they might give to you?

Mr. BLOUNT. What their reason was I might conjecture, and it would not, perhaps, be the correct one.

The CHAIRMAN. I was asking you what your conjecture was—an opinion was—on that proposition, and whether that made it necessary, in your judgment, that you should observe this very conservative course.

Mr. BLOUNT. That is what guided me in my approaches to the subject.

The CHAIRMAN. When you got to Hawaii, to whom did you report, to what Government?

Mr. BLOUNT. To the Provisional Government.

The CHAIRMAN. Did you exhibit your letter of authority to the Provisional Government?

Mr. BLOUNT. No.

The CHAIRMAN. Did you inform the Provisional Government of the

nature and purposes and extent of the commission and powers which you had been entrusted with in visiting the islands?

Mr. BLOUNT. I did not.

The CHAIRMAN. What information did you give to President Dole?

Senator GRAY. They were confidential, were they not?

Mr. BLOUNT. They were confidential. You will see what the President communicated to me in the papers.

The CHAIRMAN. You gave no information to that Government of your instructions?

Mr. BLOUNT. No, not for some time.

The CHAIRMAN. After a while we will get at what you did. But what you did then was, I suppose, to deliver the letter of the President of the United States to the President of the Provisional Government?

Mr. BLOUNT. Yes. Well, I got to meeting them in a casual way, and there would be references to the examination, but no discussion of it. My time was taken up in making examinations.

The CHAIRMAN. How far did you put the Provisional Government in possession of knowledge of your authority as commissioner to the Hawaiian Islands?

Mr. BLOUNT. I never gave them any information in reference to the matter—I mean direct, official communication—until I published the instructions that I was acting under.

The CHAIRMAN. When did you publish those instructions?

Mr. BLOUNT: That appears in the correspondence with the State Department. I have not seen it for six months.

The CHAIRMAN. Did you publish them in the newspapers?

Mr. BLOUNT. All the newspapers of Honolulu.

The CHAIRMAN. What was your object in making public those instructions?

Mr. BLOUNT. All sorts of conjectures as to what my powers were and the purposes of the Administration through me. For instance, there would be a claim on the part of the royalists that I was going to restore the Queen at a certain time; and on the other hand there would be a declaration on the part of the annexationists after the troops were ordered back to the vessel, on the appearance of any disorder I would bring them back for the purpose of suppressing it. The impression was that I would not allow a move of any political party there looking to a change of the Government, and I felt it to be my duty to inform those people, both sides, that I was not there to take any part either with one party or the other with reference to their affairs; that I should protect American citizens in their lives and property while they were observing the laws of the land and not participating in the conflict.

The CHAIRMAN. In order to give confidence and assurance to the people of Hawaii in the midst of these conjectures that were being made, you thought it was best to publish your instructions?

Mr. BLOUNT. I ought to say that I had corresponded with the Secretary of State about these misapprehensions, and he authorized me in my discretion to publish them, and I did it promptly.

The CHAIRMAN. In what way were you received by the Provisional Government, in a friendly or in a reluctant way?

Mr. BLOUNT. As friendly as I could desire or anybody could desire.

The CHAIRMAN. Did the President of the Provisional Government indicate to you that you were welcome in Hawaii as the representative of the United States Government?

Mr. BLOUNT. Oh, yes.

The CHAIRMAN. Did you report to or have any official correspond-

ence with Liliuokalani or her cabinet, or the cabinet that existed at the time of her abdication?

Mr. BLOUNT. I never had any communication with her in any way until certain persons appeared there and were reputed to be authorized by the President to negotiate for her abdication. I think that is all printed.

Senator GRAY. What is it?

Mr. BLOUNT. Certain persons there claiming to have authority from the President of the United States to negotiate for the Queen's abdication.

The CHAIRMAN. Who were those persons?

Mr. BLOUNT. I think their names appear in the printed papers—Dr. Bowen, correspondent of the New York World, and a Mr. Sewell.

The CHAIRMAN. It turned out that they had no such authority?

Mr. BLOUNT. Yes. I thought the President of the Provisional Government and the Queen herself both ought to be informed that this was not true. I sent to Mr. Dole. I asked him to come to my house, which he did. I told him the circumstances, and that these gentlemen had no such authority. He said, "Well, would you object to its being stated you think the Queen's abdication would simplify the situation?" I said I would. I feel that I am authorized in saying that the Government of the United States has nothing to do with this matter one way or the other, and I had nothing to say for or against the measure. I had no authority from the Government, and until I had, did not want the name of the United States Government connected with it.

Senator GRAY. If it could be brought about by the intervention of those gentlemen, without the United States Government having anything to do with it, you would have nothing to say about it?

Mr. BLOUNT. No. Some hours after I called on Mr. Dole and said I have never called on the Queen; never called because I was afraid it would be misapprehended, misconstrued; because it was not proper conduct considering my relations to your Government. But I feel now that I ought to go to see her and say to her in connection with this matter what I have said to you. He said he could not see any impropriety in it. I went and stayed two or three minutes, making the same representation that I did to President Dole.

Senator GRAY. The Queen speaks English?

Mr. BLOUNT. She speaks English; but she evidently was very wary. She did not know what to make of me or the Government, and said very little. I left her. I did ask a member of her cabinet to inquire of her if she would not be willing to furnish me a copy of the constitution she proposed to proclaim.

Senator BUTLER. The one which was supposed to have been promulgated?

The CHAIRMAN. Promulgated and destroyed?

Mr. BLOUNT. The one she proposed to promulgate. The answer was made she would do so. It was not done for a long while. I do not know why, but finally the paper was brought to me by some person, I do not know whom now. I sent for the members of the cabinet.

The CHAIRMAN. The Queen's cabinet?

Mr. BLOUNT. Her cabinet. To see if they recognized that paper, and they agreed to all except one proposition. It contained a property qualification on voters for the legislative body, not nobles, but representatives, and they disagreed with her as to that.

The CHAIRMAN. Said that was not part of the paper as they understood?

Mr. BLOUNT. Yes. They did not think there was any property

qualification; they thought it was educational. I put it in my report because this man Peterson is a pretty bright lawyer, and I thought they would be much more likely to recollect correctly than the Queen. I never talked with the Queen about it at all.

The CHAIRMAN. That is all the information you got about the terms of the constitution which the Queen had proposed?

Mr. BLOUNT. Except later. Sometime afterward a gentleman came to me, I think a Mr. Carter or a Mr. McFarlane, with a paper, which you gentlemen have here, containing a statement of the Queen; I looked over it. My first impression was that I ought not to use it; that she was disclosing a great many secrets in her feelings toward her political allies calculated to create feeling between her and them. She was a woman. Then it occurred to me after thinking the matter over, "I have nothing to do with that; I am here representing the Government of the United States, and I will put that with the other evidence." Those are all the communications on the constitution.

The CHAIRMAN. Did that paper purport to emanate from the Queen?

Mr. BLOUNT. Oh, yes; there is no question about that.

The CHAIRMAN. You say there is no question about that?

Mr. BLOUNT. I have no question about that.

Senator GRAY. Was that sent in with your report?

Mr. BLOUNT. Yes; I have put everything in the bundle and sent it.

Senator GRAY. You sent everything?

Mr. BLOUNT. I sent everything.

Senator GRAY. It is a statement signed by the Queen, is it?

Mr. BLOUNT. Yes.

Senator GRAY. There is but one statement from her, a sort of history of the revolution?

The CHAIRMAN. It was her version of the affair?

Mr. BLOUNT. Her version. I never spoke to her about it at all.

The CHAIRMAN. During your stay in Hawaii did you have any official communication with Liliuokalani or her cabinet as in any sense representing an existing government?

Mr. BLOUNT. No; not the slightest, not the slightest.

The CHAIRMAN. What communication you had with them at all was for the purpose of obtaining information that you thought would be useful to the Government of the United States?

Mr. BLOUNT. Yes. I took opinions from both sides of people who were connected with public affairs at the time. For instance, if you will allow me, there was Mr. Damon, the Vice-President, who went to the station house to negotiate for the surrender of the station house, and went to the Queen. I took him, Mr. Bolte, who went with him to the station house; Mr. Waterhouse, who was on the committee of safety, and at whose house the final determination of the dethronement of the Queen occurred. I mention those persons, and I attempted to get the testimony of Mr. Smith and the statement of Mr. Cooper, who read the proclamation establishing the new Government; I went in that direction, and I found from Mr. Damon's testimony and Mr. Bolte's that they had gone to the station house and found certain persons connected with the Queen's Government, and I naturally took members of the cabinet, and so it led along as circumstances were.

The CHAIRMAN. As the question opened up to your mind you proceeded to investigate things that you thought would be useful to the Government here?

Mr. BLOUNT. I did.

The CHAIRMAN. Before you left Hawaii did you receive any communication, statement, or information from the Government of the United

States of any purpose to reinstate Liliuokalani on any terms or conditions whatever?

Mr. BLOUNT. I never dreamed of such a thing as the reinstatement of Liliuokalani; I never heard it suggested until my return to the United States. I had a talk with the Secretary of State, and the inclination of his mind was that the circumstances created a moral obligation on the part of the United States to reinstate her. I gathered from the Secretary of State that the President had not any opinion—was thinking the matter over.

The CHAIRMAN. That the President had not formed his opinion?

Mr. BLOUNT. Had not formed his opinion. I had never heard anything from the President indicating any opinion until the public had it.

The CHAIRMAN. Then at the time you left Hawaii nothing had been developed in the direction of a movement to reinstate Liliuokalani on the throne?

Mr. BLOUNT. I never heard of it except as I heard of it in the American papers.

The CHAIRMAN. The papers that would find their way to Hawaii?

Mr. BLOUNT. Yes; nothing from the Government. You asked me a moment ago about my having communication with the Queen. Those people down there are the most consummately brutal and unconscionable people I ever saw—on both sides; they say almost anything. On one occasion the attorney-general came to me at my office, and the Queen's name was mentioned. I said, "What sort of a person is she; I never saw her." He was surprised. He said, "You have never seen her?" I said, "No." He said, "That is very strange; the Government was informed that you called to see her, and she got on her knees, and pressed your hands, and cried," etc. Some time after that an attack was made in the Star, in which the writer was urging the deposition of the Queen, charged she was conspiring against the existing Government, and said she should be deposed, that she might have treasonable communications with public ministers, as witness her unhindered interviews with Commissioner Blount. That was the annexation organ. I thought it was very discourteous, and I wrote Mr. Dole a letter. Probably it appears in the published correspondence.

In that letter I set forth that I had never called upon the Queen at all except as indicated in an interview with him, in which it was agreed that there was no impropriety in my doing so, and that I felt this attack was an outrage on me as the American representative. He seemed to appreciate the situation, and an apology was brought about, a very poor one. But I think President Dole regretted it. The attorney-general, in referring to the article, said to me that this man Smith, of the annexation organ, had been to the Government (that is to say the President and cabinet), and said that he had the unquestionable proof that I had three long interviews with the Queen. He did not believe Smith. I never had any communication with the Queen looking to her protection or aid in any form.

The last interview I had with her came about in this way: I was going off from the islands; I made up my mind to leave; I thought everything was quiet. I felt I was taking some responsibility by leaving if anything should happen and I should not be there—that I would have to suffer the criticism. I talked with members of the Provisional Government; talked with some two or three gentlemen of character and standing on the royalist side as to whether there was any danger in my leaving, and then it occurred to me perhaps I had better go and see the Queen and ascertain just what she thought of the peacefulness of her people. I went to her and told her my purpose of leaving; all of which

was kept quiet, because I did not want any demonstration made when I went away from there. It was understood by the Provisional Government. I talked to them freely about it.

I asked the Queen about the natives keeping quiet. She said there was no danger until the question of annexation was finally determined upon by the United States. She asked me, in the event of her arrest what would Admiral Skerrett do—what would the United States forces do in the way of protection. I said, "So far as I am concerned I must decline to answer as to what the Government of the United States will do; when I leave here Admiral Skerrett will be in command of the naval forces, and questions of public order, etc., will be left with him without my control." I never gave her an intimation.

Senator GRAY. Is that all that occurred?

Mr. BLOUNT. That is all that occurred.

Senator GRAY. How many times had you had interviews with regard to public affairs with the Queen?

Mr. BLOUNT. Had but two interviews; one concerning her abdication, and one just before I left, to see if there was danger of bloodshed when I left.

Senator GRAY. The one you have just spoken of?

Mr. BLOUNT. Yes. Those were the only conversations I ever had with her, and each of them I have substantially detailed.

The CHAIRMAN. In your estimate of her in those brief conversations, did you think her an intelligent, bright woman?

Mr. BLOUNT. The conversations, I say, were very brief; the first one only two or three minutes, when she seemed to be a little wary and disinclined to talk except in response to questions. She was dignified and reserved. She was quite reticent. I had no means of determining her intelligence from any observation of my own. She was reputed by all the people there to be a very well educated woman.

The CHAIRMAN. A woman having dignity?

Mr. BLOUNT. Oh, yes.

The CHAIRMAN. Having polite manners?

Mr. BLOUNT. Yes. That is quite a feature of the Hawaiian people—dignity and good manners. So I learned from the people over there.

The CHAIRMAN. Was that your observation?

Mr. BLOUNT. Yes.

The CHAIRMAN. I do not find in your report that you gave any advice to the Government of the United States in respect to the restoration of Liliuokalani to her former rule?

Mr. BLOUNT. I did not give any advice. I was not called on to give any advice to anybody; I went down there to report facts; those were my instructions, and I reported as I believed them to be.

The CHAIRMAN. Does your report contain all the information you gave to the Government of the United States with regard to the forces there?

Mr. BLOUNT. I think it does; it is the only way I carried it—on those papers.

The CHAIRMAN. And you had no motive in your report of interfering with or changing the Government that existed in Hawaii and restoring Liliuokalani?

Mr. BLOUNT. It never entered my head to do anything about the restoration of the Queen until I returned to the United States, except, as I told you, I would see the matter discussed in an American paper.

The CHAIRMAN. But as a purpose on your part?

Mr. BLOUNT. Oh, no. I was rigidly loyal to the idea that I was not there except to report information.

The CHAIRMAN. How long after your arrival in Honolulu was it before you gave orders to Admiral Skerrett to remove troops from the islands and to haul down the American flag?

Mr. BLOUNT. In two or three days. You will see a record of that. I met people day and night. They met me cordially, people of both factions there at the legation. The active leaders would resent the idea in the newspapers of there being any danger of disorder. They would say to me it would be folly for us to attempt anything to change the present condition of affairs until the question of annexation was disposed of; that if the United States wanted to annex the islands, they would annex them; what could they do? That seemed to be in their minds, and the thought that determined the peace of the islands up to the time I left, so far as I could see.

The CHAIRMAN. Up to the time you caused Admiral Skerrett to withdraw his force did you find the people in a quiet state?

Mr. BLOUNT. It was as quiet a looking city as ever I saw.

The CHAIRMAN. You could then see no occasion for military demonstration on shore for the purpose of protecting the peace?

Mr. BLOUNT. None in the world, as I said in my report. I went to President Dole and told him my impression about it, and my purpose to withdraw the troops, and asked if he could preserve order. He said he could preserve order. I was hastened for the reason which appears in the report. I had learned of a meeting of some eighty people who wanted to communicate to me certain political views, and it occurred to me the best thing to do was to have the troops removed. I intended to have them removed lest it would appear that they had brought about the removal of the troops.

The CHAIRMAN. The day that the troops were removed was there any civil commotion in Honolulu?

Mr. BLOUNT. Not the slightest. I did not go down to the Government building at the removal. I did not know but possibly there might be some demonstration and my presence might occasion it. I asked Admiral Skerrett to see what demonstrations, if any, were made, and he has reported it. Capt. Hooper, of the *Rush*, took me over. He is quite an intelligent gentleman. He was on the shore, and I said I would be glad to have him go down there and see the impression it made on the people, what manifestations there were. His report is of record.

The CHAIRMAN. During the time that you were there, the flag was ordered down. Was there any civil commotion in Honolulu, or any part of it, of which you were informed?

Mr. BLOUNT. No.

The CHAIRMAN. Would you describe the condition of the people as one of peacefulness and quiet?

Mr. BLOUNT. Yes, as a general rule, I would say that was true.

The CHAIRMAN. Was there any riot or outbreak of any kind?

Mr. BLOUNT. Not the slightest.

The CHAIRMAN. Were you informed of any combinations of a political sort during your stay, to reinstate Liliuokalani by a counter revolution?

Mr. BLOUNT. No. I have stated the condition of the native mind as far as I was impressed by it, and that was that they could do nothing until the United States determined upon the question of annexation.

The CHAIRMAN. Were the people quiet in their avocations?

Mr. BLOUNT. Yes. There was nothing to indicate that there ever had been any revolution.

The CHAIRMAN. Any disturbance in commercial affairs?

Mr. BLOUNT. None that I could see.

The CHAIRMAN. Any depression in financial matters?

Mr. BLOUNT. Yes, there seemed to be; but not so much as in the United States or in other parts of the world.

The CHAIRMAN. Was that due to the political situation, or attributable to their commerce?

Mr. BLOUNT. One would think it was because of the political condition of affairs, and another that it was the general depression throughout the world.

The CHAIRMAN. Did you form any opinion while you were there of the financial situation in Hawaii, as to whether it had inspired confidence in it among the people—confidence in their banking institutions?

Mr. BLOUNT. I could not say that I have formed an opinion worth stating. I do not think there was any trouble about their banking institutions or money.

The CHAIRMAN. This revolution does not seem to have interfered with the credit of the banks?

Mr. BLOUNT. No.

The CHAIRMAN. What is the circulating medium in Honolulu?

Mr. BLOUNT. They have some silver that was issued during Kalakaua's reign, and gold, and our Treasury notes.

The CHAIRMAN. Our Treasury notes?

Mr. BLOUNT. Yes.

Senator GRAY. Our paper money?

Mr. BLOUNT. Yes.

Senator GRAY. Is it as common there as it is here?

Mr. BLOUNT. Just the same.

Senator BUTLER. Do you mean our money, or issues of the Hawaiian Government?

Mr. BLOUNT. Our money.

The CHAIRMAN. Have they any paper issues of their own?

Mr. BLOUNT. None that I ever saw.

The CHAIRMAN. Neither of the banks or of the Government?

Mr. BLOUNT. No.

The CHAIRMAN. Did there seem to be a proper supply for the needs of the people?

Mr. BLOUNT. I never heard any complaint.

The CHAIRMAN. The price of sugar was depressed while you were there?

Mr. BLOUNT. An advance—there was a depression and rise, which was very inspiriting to the people. You spoke about a currency. There was no complaint. You will see that there had been in the Legislature some fellow who introduced a bill and got up an excitement on loaning money on real estate, just as you have seen here. But it did not take any form that indicated any stringency.

The CHAIRMAN. When you arrived in Hawaii, did you communicate your instructions to Mr. Stevens?

Mr. BLOUNT. I did not.

The CHAIRMAN. Did you at any time before you left there?

Mr. BLOUNT. I published the instructions.

The CHAIRMAN. Mr. Stevens did not have any official notice of them until they were published?

Mr. BLOUNT. No.

The CHAIRMAN. Did you confer with him when you directed Admiral Skerrett to remove the troops and haul down the flag?

Mr. BLOUNT. I did not. I did not confer with anybody except Admiral Skerrett.

The CHAIRMAN. Your orders appear here. I believe they were issued by you directly as a commissioner of the United States?

Mr. BLOUNT. Yes.

The CHAIRMAN. And in virtue of this letter of authority to which you have already alluded?

Mr. BLOUNT. Yes.

Senator DOLPH. Is your letter of authority printed in the report?

The CHAIRMAN. Yes.

Mr. BLOUNT. My impression is that an order was made by the Secretary of the Navy, I am pretty sure there was, directing Admiral Skerrett to obey my orders. I do not know that that is in the printed report.

Senator GRAY. Mr. Stevens was notified?

Mr. BLOUNT. No.

Senator DOLPH. Do you understand that Mr. Stevens was notified of the purpose and objects of Mr. Blount's commission?

Senator GRAY. I think so. Let us see.

The CHAIRMAN. I think so.

Senator SHERMAN. Did you communicate to Mr. Stevens the nature of the authority under which you were acting?

Mr. BLOUNT. Mr. Stevens was informed by the Government itself. He had a communication which I think you will find there. I had no communication with Mr. Stevens at all with reference to my authority; the Government had undertaken to do that. My instructions were secret and I never gave them to anybody.

Senator GRAY. I find on page 3 of this publication, document No. 2, letter from Department of State dated "Washington, March 11, 1893," which says:

"DEPARTMENT OF STATE,
"*Washington, March 11, 1893.*

"SIR: With a view to obtaining the fullest possible information in regard to the condition of affairs in the Hawaiian Islands the President has determined to send to Honolulu, as his Special Commissioner, the honorable James H. Blount, lately chairman of the Committee on Foreign Affairs.

"Mr. Blount bears credential letters in that capacity, addressed to the President of the executive and advisory councils of the Provisional Government, and you are requested to facilitate his presentation.

"In all matters pertaining to the existing or other Government of the islands the authority of Mr. Blount is paramount. As regards the conduct of the usual business of the legation, you are requested to continue until further notice in the performance of your official functions, so far as they may not be inconsistent with the special powers confided to Mr. Blount. You are also requested to aid him in the fulfillment of his important mission by furnishing any desired assistance and information, and the archives of the legation should be freely accessible to him.

"Mr. Blount is fully instructed touching his relations to the commanding officer of the United States naval force in Hawaiian waters.

"I am, etc.,

"W. Q. GRESHAM."

That is signed by Mr. Gresham.

Mr. BLOUNT. I understood that the Government communicated to Mr. Stevens what it wanted him to know.

Senator SHERMAN. They gave him direct instructions?

Mr. BLOUNT. Yes.

The CHAIRMAN. That was the only occasion of the communication of your authority to Mr. Stevens?

Mr. BLOUNT. I did not make them; I had a copy.

The CHAIRMAN. That is all the information Mr. Stevens had of your authority?

Mr. BLOUNT. So far as I have any information. I suppose the Government has given you copies of everything—all their communications to and from Mr. Stevens.

The CHAIRMAN. The orders that you gave to Admiral Skerrett are supported, if I understand you correctly, alone by the letter of authority given to you by the Secretary of State?

Mr. BLOUNT. And the letter that Mr. Herbert, the Secretary of the Navy, sent to Admiral Skerrett.

The CHAIRMAN. To execute your orders?

Mr. BLOUNT. Yes.

The CHAIRMAN. You construed your authority, of which you have just been speaking, to be sufficient to justify you in taking command of that fleet?

Senator BUTLER. Control.

The CHAIRMAN. I put it "command," for the purpose of removing the troops off the shore, and of hauling down the flag that had been raised there upon the Hawaiian public buildings?

Mr. BLOUNT. I thought I was justified under the instruction and that order given by the Secretary of the Navy, of which I had information.

The CHAIRMAN. If at any time while you remained there you had supposed that the preservation of life and property and their treaty rights made it necessary, you thought you would have had authority, under the construction of your powers, to have ordered the troops back upon the shore?

Mr. BLOUNT. I think so. The letter of the Secretary of State speaks of it. I do not recollect the exact instructions; but it speaks about my conferring with Admiral Skerrett—makes some such suggestions. But taking that communication and the order from the Secretary of the Navy to Admiral Skerrett, I thought I had authority to order the troops back to protect the property of American citizens.

The CHAIRMAN. You thought you were the judge of the political or actual situation in Hawaii, or in Honolulu, to the extent of authorizing you to protect the public peace, and thereby to protect American property and life?

Mr. BLOUNT. I do not say to protect the public peace. I did not understand it to that extent. I understood that if there was a contest between the people of the Provisional Government and any other people there for the control of public affairs, if it did not involve the property and the persons of American citizens who were not participating in the conflict, I had nothing to do with it.

The CHAIRMAN. Would not a conflict of that kind in the city of Honolulu, with 20,000 population and a great many nationalities represented, necessarily involve some danger to American life and property and commerce?

Mr. BLOUNT. I felt this way about that: I knew that that question was one that might come, and that I would wait until it came to see what discretion I would use under the circumstances that arose. I tried to carry out my power as I understood it.

The CHAIRMAN. And you construed your authority to be sufficient

to enable you to use the naval forces of the United States then in the harbor for the purpose of protecting the life, liberty, and property and treaty rights of American citizens in the event of a commotion?

Mr. BLOUNT. Yes. I think there is no doubt about that. I think that appears from my instructions. I think that is very clear.

Senator BUTLER. I understand that under your instructions if that exigency had arisen, and you thought it necessary, you would have ordered the troops ashore to protect life and property?

Mr. BLOUNT. Yes.

The CHAIRMAN. In ordering these troops from the shore to the ship, were you influenced by this construction of your authority?

Mr. BLOUNT. There were several things. It did not seem to me that an investigation could go on very well with the flag and troops there. They were calculated to repress certain people and prevent them testifying—if that condition of things were kept up. In the next place, it did not occur to me that there was any justification for it at all, for its continuance. I have nothing to say about the original placing of it; it was not a matter of my own to determine. But I found it there; I thought it could be removed without any difficulty, and I accordingly ordered the flag removed and the troops back on board the vessel. Before proceeding further, here are what I conceive to be the orders under which Admiral Skerrett was acting:

"MARCH 11, 1893.

"SIR: This letter will be handed to you by the Hon. James H. Blount, Special Commissioner from the President of the United States to the Government of the Hawaiian Islands.

"You will consult freely with Mr. Blount, and will obey any instructions you may receive from him regarding the course to be pursued at said islands by the force under your command.

"You will also afford Mr. Blount all such facilities as he may desire for the use of your cipher code in communicating by telegraph with this Government.

"Respectfully,

"HILARY A. HERBERT,
"*Secretary of the Navy.*

"Rear-Admiral J. S. SKERRETT,
"*Commander in Chief United States Naval Forces,*
"*Pacific Station, Flagship Mohican, Honolulu, H. I.*"

The CHAIRMAN. That was the order of the Secretary of the Navy to which you had reference?

Mr. BLOUNT. Yes. Mr. Chairman, allow me a moment. I made a statement a while ago that until my instructions were published I had not communicated then to anybody. I forgot that I did communicate then to Admiral Skerrett. I felt that I could not confer with him about anything unless he knew my instructions.

The CHAIRMAN. Knew what your instructions were?

Mr. BLOUNT. Yes.

The CHAIRMAN. The extent of your authority?

Mr. BLOUNT. Yes. No officer connected with the vessels there other than Admiral Skerrett had any knowledge of it.

The CHAIRMAN. I will ask you the question: Was the movement of the troops or the orders for hauling down the flag in any respect intended to be an evidence of your participation in the domestic affairs

of Hawaii, so as to favor either the Queen's form of government or the then existing Government—the Dole régime?

Mr. BLOUNT. My idea about it was, the effect would be to impress both sides with the belief that I was not going to participate in their local affairs.

The CHAIRMAN. Was that your intention?

Mr. BLOUNT. Such was my intention. I did not think the flag troops ought to be there. It did not occur to me just; it did not occur to me that investigation could go on with them there.

Senator GRAY. I understand the chairman's question to be, did you intend the removal of those troops to give intimation to either side of your intention toward them?

Mr. BLOUNT. I did not. I thought that it would be an intimation to both sides that I did not come down there to do anything with their controversies.

The CHAIRMAN. Your position was one of strict neutrality between them?

Mr. BLOUNT. As much so as I could possibly make it. I never went into the house of a royalist but once while I was in Honolulu. I called on Mr. J. O. A. Carter with my family, with Mrs. Blount, just before leaving.

Senator SHERMAN. He was the former minister?

Mr. BLOUNT. He was a brother of the former minister.

Senator GRAY. I think the former minister is dead.

Mr. BLOUNT. He is. He is the brother of the former minister, on whom I called. I called on President Dole, the attorney-general, the minister of the interior, the vice-president—the persons connected with the Government. I felt that I could do that without subjecting myself to general intercourse with the people. They were officials of the Government, and I announced to both sides that I felt bound to do that.

The CHAIRMAN. With the exception of the Queen and cabinet and the commander of the military forces, and of the civil forces, called the police, was there any substantial change in the personnel of the Government from what it was formerly, when you got to Hawaii?

Mr. BLOUNT. As to the personnel?

The CHAIRMAN. Yes.

Mr. BLOUNT. Well, the——

Senator BUTLER. As I understand, you arrived there after the Provisional Government was established?

Mr. BLOUNT. Yes.

Senator BUTLER. You have no information as to the personnel of the Queen's government?

The CHAIRMAN. My question relates to what Mr. Blount learned as to what was the composition of the former government, as to its personnel.

Mr. BLOUNT. I think the police force as a rule was left untouched. I never went into it particularly.

The CHAIRMAN. The army was disbanded—the Queen's army, body guard.

Mr. BLOUNT. Oh, yes.

The CHAIRMAN. Do you remember whether any body guard was reserved to her for her protection?

Mr. BLOUNT. It was not so when I was there.

The CHAIRMAN. In other respects the Government went on under existing laws, saving, of course, the revolution which had taken place in the head of the Government?

Mr. BLOUNT. The information on that point appears in the correspondence between the Provisional Government and the Government here, and I would take it as the highest evidence.

The CHAIRMAN. That conforms to your own observations?

Mr. BLOUNT. Yes, as to the character of the Government set up.

The CHAIRMAN. I suppose you ascertained that during the decade previously to this revolution there had been a great many changes in the political attitude of a great many leading men in Hawaii?

Mr. BLOUNT. Oh, yes.

The CHAIRMAN. Politics had been a pretty lively subject in Hawaii some years before you got there?

Mr. BLOUNT. Everything is little down there. It was lively for them in noise.

Senator BUTLER. It would not be considered very lively in Georgia, New York, or Ohio, I suspect?

Mr. BLOUNT. Oh, no.

The CHAIRMAN. Would you say that the people there are given to participating in political agitations?

Mr. BLOUNT. I would say more so than in Alabama. They get them pretty well worked up.

The CHAIRMAN. Meeting in conventions, public meetings, and having their say?

Mr. BLOUNT. Oh, yes. I want to say that so far as that matter is concerned I took no testimony.

The CHAIRMAN. I am getting your impressions aside from the testimony you took.

Mr. BLOUNT. Yes.

The CHAIRMAN. You would say, I suppose, that there was a pretty large feeling on the part of the press in Hawaii?

Mr. BLOUNT. Oh, yes. You would take up the papers there and read one side and the other where they would make the most villifying personal attacks that you could conceive of. I would learn when these gentlemen would meet that it was just a good joke. I spoke once to Mr. Dole about it; I said, "I do not see how you can keep the peace with the people attacking each other this way."

He said, "That does not amount to anything; they are friendly when they meet. My attention was directed to that because I was apprehensive from seeing these articles that some disturbance would come, and I always talked very freely to the Government about the public peace. I was doing no harm on that ground; they seemed to want to talk with me; they came to me when there was fear of disturbance, and I would not communicate it to the other side. Then the other side would come, and I did not mention what they said to the Government. In this way I got information of both sides. I saw that there would be no trouble.

The CHAIRMAN. We have gone through a general view of this matter; I will turn Mr. Blount over to any one who wishes to ask any questions.

Senator DOLPH. I wish to ask a few questions.

Senator GRAY. No questions occur to me now.

Senator DOLPH. You say that Secretary Foster showed you a letter from Minister Stevens, written in November, 1892?

Mr. BLOUNT. Yes.

Senator DOLPH. Concerning affairs in the islands?

Mr. BLOUNT. Yes.

Senator DOLPH. That letter contains a pretty full account of the political situation there?

Mr. BLOUNT. That is amongst your papers.

Senator DOLPH. I saw the letter at the time. I suppose it was shown to you in confidence because you were on the Committee on Foreign Relations of the House.

Mr. BLOUNT. Very largely so.

Senator DOLPH. Did you form any opinion at that time about Hawaiian affairs and as to the fitness of Mr. Stevens for the position he occupied?

Mr. BLOUNT. I did not. I did not like the looks of the letter; but I think they did not make much impression on me. I went off home; I did not think much about it.

The CHAIRMAN. You had then declared your determination of retiring from Congress?

Mr. BLOUNT. I did not intend to hold any place when I went away from here. I did not even pay my respects to the President.

The CHAIRMAN. You had determined to retire from public life?

Mr. BLOUNT. Oh, yes.

Senator DOLPH. You did not consider there was any impropriety in such a letter coming from a minister of the United States?

Mr. BLOUNT. No. Perhaps I misunderstood what you said.

Senator GRAY. Mr. Blount did not speak about the impropriety; he spoke of the impression.

Mr. BLOUNT. Oh, I rather had an impression—it was a vague one—that it manifested some passing beyond the proprieties for an American representative in a foreign country.

Senator DOLPH. That was not long before the news arrived in the United States in reference to the revolution in Hawaii, was it?

Mr. BLOUNT. My impression is that the treaty had been negotiated at the time. The Secretary of State sent for me and expressed a desire that I would endeavor to bring the Democratic party to the point of supporting the ratification of the treaty and acceptance of annexation.

Senator DOLPH. Then you saw that letter after the news of the revolution had arrived here?

Mr. BLOUNT. That is my impression. I think I am correct.

Senator DOLPH. Did you express any opinion concerning the revolution, or the part which it was alleged had been taken by Minister Stevens in connection with the same, shortly after the news arrived and while Congress was still in session?

Mr. BLOUNT. My impression is that I avoided the subject. I recollect saying once to a newspaper correspondent when the announcement was made of the establishing of an American protectorate by the American minister that "it looked a little lively." I did not think much about it at the time; I did not care much about it; I was going away.

Senator DOLPH. Have you stated what the expression was you used?

Mr. BLOUNT. I said, "It looked a little lively." That I believe to be it.

Senator DOLPH. Did you express any opinion concerning the landing of the naval forces upon the island?

Mr. BLOUNT. No. I say that because my recollection of it is that I did not know anything about the particulars at all.

Senator DOLPH. Did you form any opinion shortly after the receipt of the news of the revolution, or after the treaty had been negotiated and sent to Congress, concerning the question of annexation?

Mr. BLOUNT. I did not form any opinion.

Senator DOLPH. Or express any?

Mr. BLOUNT. I had some apprehension that there might have been something imprudent done there; I had no opinion.

Senator DOLPH. Did you not have conversations with various persons about the affair?

Mr. BLOUNT. Very little. I was authorized to show that paper. It was given to me in manuscript—the letter of November. I was authorized to show it to some persons, in my discretion.

Senator DOLPH. The letter of Minister Stevens to the Secretary of State?

Mr. BLOUNT. Yes.

Senator DOLPH. And you were furnished a copy?

Mr. BLOUNT. Certainly, with a view of conferring with certain persons.

Senator DOLPH. Did you show it to members of the House?

Mr. BLOUNT. I showed it to Governor McCreary and, possibly, Mr. Hitt, and possibly some others. I do not know now.

Senator DOLPH. Did you have any conversations with those people about the subject of the annexation of Hawaii?

Mr. BLOUNT. I can not remember that I did, other than showing that paper.

Senator DOLPH. Did you undertake to secure the approval of your colleagues on that committee or in the House of annexation?

Mr. BLOUNT. No.

Senator DOLPH. Did you express any opinion in favor of annexation?

Mr. BLOUNT. I think not.

Senator DOLPH. Or against it?

Mr. BLOUNT. I think not.

Senator DOLPH. You think you simply handed that persons named, and possibly others, without any conversation or suggestions with regard to that?

Mr. BLOUNT. Oh, I have not said that.

Senator DOLPH. That is what I am trying to get at.

The CHAIRMAN. Allow me to ask if that is the letter to which you refer, and of which Mr. Foster gave you a copy (referring to Executive Document of the House of Representatives No. 74, page 111 of the Report.)

Mr. BLOUNT. I think it is.

Senator DOLPH. What did you say to Mr. Foster you would do concerning his request?

Mr. BLOUNT. I did not say to Mr. Foster that I would do anything. He showed me that letter and expressed a desire that I would endeavor to bring the Democratic party to the support of the annexation of the Hawaiian Islands.

Senator DOLPH. Mr. Foster gave you a copy of that letter and made that request, and you made no response to it?

Mr. BLOUNT. Oh, yes, I did.

Senator DOLPH. I would like to know what you said to him.

Mr. BLOUNT. I said to him, "I do not know anything about it." The paper was handed to me. He did not expect any answer. The whole thing was new to me.

Senator DOLPH. You did not read it in Mr. Foster's presence?

Mr. BLOUNT. No. He handed it to me to be read, and I said, "You have given me this paper; I can not converse with the Democrats without this paper." I had not seen the paper. Mr. Foster said, "I will leave that to your discretion."

Senator DOLPH. I am asking if you expressed any opinion in the

matter, because in the press it has been charged that you expressed an opinion.

Mr. BLOUNT. Yes, I understand you.

Senator DOLPH. You think you did not express an opinion?

Mr. BLOUNT. I think not, because I did not have any.

Senator DOLPH. You were here during the inauguration of President Cleveland?

Mr. BLOUNT. Yes.

Senator DOLPH. Did you call on the President before you left the city?

Mr. BLOUNT. I did not.

Senator DOLPH. Or Secretary Gresham?

Mr. BLOUNT. No; I did not see Secretary Gresham. I knew him when he was Postmaster-General.

Senator DOLPH. What time did you leave Washington?

Mr. BLOUNT. I do not recollect; I stayed here three or four days.

Senator DOLPH. After the inauguration?

Mr. BLOUNT. Yes; there was a crowd, a jam, and I did not care to start home because of the liability to accidents, etc.

Senator DOLPH. Can you recall any conversation with either of the gentlemen to whom you handed a copy of that letter?

Mr. BLOUNT. I can not. I handed it to them; and I may possibly have said to them, "I am not satisfied to make any effort on this paper; I do not think there is information enough."

Senator DOLPH. How many times did you see Mr. Gresham, the Secretary of State, before you left for Honolulu—when you came here in response to the telegraphic request of Mr. Smith?

Mr. BLOUNT. I arrived here on Sunday morning, I think. I went with the Secretary of the Interior to the State Department. I met, casually, the Secretary of the Navy in the office of the Secretary of State. That is the first time I met the Secretary of State.

Senator GRAY. The first time?

Mr. BLOUNT. Yes.

Senator GRAY. The first time you met Mr. Gresham since you knew him as Postmaster-General?

Mr. BLOUNT. Yes. And the next time I met him was the next day. I went over to his office, and he took me into a little room—you recollect where the foreign ministers are received?

Senator BUTLER. For consultation?

Mr. BLOUNT. Yes. He had the clerk read the instructions over, with the view, rather, of putting them in a more tasteful form—criticising the instructions. That was the second time. And I possibly met him a third time.

Senator DOLPH. How many conversations did you have with Secretary Gresham that second time?

Mr. BLOUNT. I can not really tell you.

Senator DOLPH. Was that the time that he told you that he knew of no principle of international law which justified the raising of the United States flag in Honolulu?

Mr. BLOUNT. I can not say exactly what time it was.

Senator DOLPH. You are not certain?

Mr. BLOUNT. No. It may have been then or at a later conversation.

Senator DOLPH. Did he not couple with his remark about the raising of a United States flag one about the landing of the United States marines and the assumption of a protectorate over the islands?

Mr. BLOUNT. Perhaps so.

Senator DOLPH. Is that all he said? Please give that conversation as nearly as you can recall it.

Mr. BLOUNT. That would be a very difficult thing to do. At the time I just recollect the general impression that I had that he did not think the flag ought to be there or the troops on shore.

Senator DOLPH. He did not think the flag ought to be there and the troops on shore?

Mr. BLOUNT. That was his expression. But the instructions——

Senator DOLPH. Did you understand that, while he left it to your discretion, unless the facts showed that it should not be done, the flag should be haulded down and the troops ordered off the island?

Mr. BLOUNT. My impression is that he thought that ought to be done. But the islands were a long way off, and it was a matter in which I was to be guided very largely by circumstances. There was to be carefulness lest there should be bloodshed growing out of it—disorder. He could not tell.

Senator DOLPH. Was anything said about the annexation of the islands at that time in your conversation, or at any other time?

Mr. BLOUNT. Not that I recollect.

Senator DOLPH. What was said, if anything, as to the time when these troops should be landed—as to whether there was any exigency for that, calling for the landing of the troops?

Mr. BLOUNT. Nothing that I can recall.

Senator DOLPH. Could you give the substance of that conversation?

Mr. BLOUNT. I think I have given you the substance.

Senator DOLPH. How long was the conversation?

Mr. BLOUNT. That I do not remember. It has been some months ago.

Senator DOLPH. Were you there an hour or minute?

Mr. BLOUNT. Well, I might have been about the office—not with the Secretary—a half hour.

Senator DOLPH. How long were you with the Secretary?

Mr. BLOUNT. During the reading of that paper and criticizing the language. The time was occupied in that way. There was very little said.

Senator DOLPH. If you saw the Secretary again before you left for Honolulu, state where and when it was.

Mr. BLOUNT. My recollection is that I went over to the office, and by arrangement went back there and got the instructions, as they had been finally prepared and agreed on, and I went with the Secretary over to the White House, the expectation being that I would go in and talk with the President and Cabinet. I mean to say that was his idea. When I got over there I was not invited in until they had concluded their deliberations. I was introduced. Of course I knew the President and some members of the Cabinet. I was introduced to some others. The subject of the islands was not mentioned at all. I only staid a minute or two; in fact, I could not see why I was taken in there; nobody said anything to introduce a topic of conversation. I went to the President and said, "Mr. President, I shall try not to make any mistake under my instructions down there." He said, "I do not think you will." As I passed the table going out, the President said, in a careless way, "Blount, you will let us hear from you." I said I would, when there is anything worth writing about, and that is all that occurred. I called to pay my respects on Sunday morning.

Senator DOLPH. I thought that was to the Secretary.

Mr. BLOUNT. No.

Senator DOLPH. Did you have any talk with the President when you called Sunday morning to pay your respects?

Mr. BLOUNT. The Secretary of the Interior and I were in there to pay my respects. It was Sunday morning, and we did not stay long.

Senator DOLPH. Did the Secretary of State or his private secretary read over the instructions?

Mr. BLOUNT. The private secretary, I think, read them.

Senator DOLPH. Did the private secretary retire during your conversation with Mr. Gresham?

Mr. BLOUNT. Oh, yes; he was not present at the conversation.

Senator DOLPH. No one was present at your conversation with the Secretary of State about your duties in Hawaii?

Mr. BLOUNT. No.

Senator DOLPH. You can not tell whether you were with him a half hour?

Mr. BLOUNT. I do not recollect. The paper was read. That was the main thing—reading over that paper and looking at it. Very little was said.

The CHAIRMAN. I would like to ask a question on a matter some of you gentlemen may wish to interrogate Mr. Blount about. I find in a paper that has been printed by the House, Executive Document 13, which seems to be some additional correspondence not published before that time, at least in compliance with any request of the House or Senate, a telegram of Mr. Foster to Mr. Stevens. It is on page 31 of this document which I hold in my hand.

"DEPARTMENT OF STATE,
" *Washington, February 14, 1893.*

"Your telegram of the 1st instant has been received, with coincident report from commander of the *Boston*. Press telegrams from San Francisco give full details of events of 1st instant, with text of your proclamation. The latter, in announcing assumption of protection of the Hawaiian Islands in the name of the United States, would seem to be tantamount to the assumption of a protectorate over those islands on behalf of the United States, with all the rights and obligations which the term implies. It is not thought, however, that the request of the Provisional Government for protection, or your action in compliance therewith, contemplated more than the cooperation of the moral and material forces of the United States to strengthen the authority of the Provisional Government, by according to it adequate protection for life and property during the negotiations instituted here, and without interfering with the execution of public affairs. Such cooperation was and is within your standing instructions and those of the naval commanders in Hawaiian waters.

"So far as your course accords to the *de facto* sovereign Government the material cooperation of the United States for the maintenance of good order and protection of life and property from apprehended disorders, it is commended; but so far as it may appear to overstep that limit by setting the authority of the United States above that of the Hawaiian Government in the capacity of protector, or to impair the independent sovereignty of that Government by substituting the flag and power of the United States, it is disavowed.

"Instructions will be sent to naval commanders, confirming and renewing those heretofore given them, under which they are authorized and directed to cooperate with you in case of need. Your own instruc-

tions are likewise renewed and you are accordingly authorized to arrange with the commanding officer for the continued presence on shore of such marine force as may be practicable and requisite for the security of the lives and property interests of American citizens and the repression of lawlessness threatening them whenever in your judgment it shall be necessary so to do, or when such cooperation may be sought for good cause by the Government of the Hawaiian Islands, being, however, always careful to distinguish between these functions of voluntary or accorded protection and the assumption of a protectorate over the Government of the Hawaiian Islands, which the United States have recognized as sovereign and with which they treat on terms of sovereign equality.

"JOHN W. FOSTER."

Senator GRAY. That has been printed before.

The CHAIRMAN. That is addressed to Minister Stevens. I wish to inquire whether you had knowledge of the existence of this telegraphic dispatch before you went away?

Mr. BLOUNT. I was going to say in response to the Senator that I expressed to the President the desire not to go off until I knew what was in the State Department in the way of information, and the Secretary of State had collected all the documents; they had all been sent to the Senate, and they were given to me in confidence. I took them and read them on the way from San Francisco to Honolulu, as much as I could with seasickness. I never looked at them in Washington.

The CHAIRMAN. The documents?

Mr. BLOUNT. Yes.

The CHAIRMAN. Was the one I have just read amongst them?

Mr. BLOUNT. Yes, given to me confidentially.

Senator DOLPH. When you left for Hawaii you took your instructions?

Mr. BLOUNT. Yes.

Senator DOLPH. Which you considered private?

Mr. BLOUNT. Yes.

Senator DOLPH. And the communication to Admiral Skerrett which has been read?

Mr. BLOUNT. Yes.

Senator DOLPH. And an official communication to the Provisional Government?

Mr. BLOUNT. Yes.

Senator DOLPH. And a letter to Minister Stevens?

Mr. BLOUNT. Yes—no, I did not deliver the letter; the letter was sent to Minister Stevens.

Senator DOLPH. You did not yourself carry him any communication?

Mr. BLOUNT. No; I had a copy. Now, I believe I did hand that paper to Mr. Stevens on shipboard. I could not say positively about that.

Senator DOLPH. It is immaterial.

Mr. BLOUNT. Yes.

Senator DOLPH. Now, under your instructions and the letter of the Secretary of the Navy to Admiral Skerrett, you were placed in supreme command of the naval forces in Hawaii, so far as any relation of our Government to the islands was concerned, were you not?

Mr. BLOUNT. Well, that language might import more than I would be willing to admit. Without defining in general terms I felt from the instructions of the Secretary of the Navy to Admiral Skerrett that

I had the right to direct the removal of the flag and the return of the marines to the vessel, and that I had authority to protect American citizens in their persons and in their property and to see to the proper observance of treaties. I did not understand that I had any power beyond that.

Senator DOLPH. You did not understand that it was your duty to wait until the actual destruction of the property of American citizens commenced, until their lives were in actual jeopardy, before you took steps to land the United States marines to prevent such injury to the lives and property of American citizens, did you? That was a matter resting in your discretion at the time, was it not?

Mr. BLOUNT. That was not mentioned. My idea was that I could not anticipate. I thought it over. I could not anticipate the circumstances which might arise; but when they did I was to exercise the best judgment I had in connection with Admiral Skerrett.

Senator DOLPH. You understood it rested in your judgment?

Mr. BLOUNT. I understood that it rested in my judgment—the protection of American citizens in their lives and property in any disturbance on the islands. Any particular circumstances did not occur to my mind.

Senator GRAY. You felt that it was in your judgment to act when the particular circumstances arose, when the exigency called for it?

Mr. BLOUNT. That is it.

The CHAIRMAN. In my mind the evidence would seem to indicate that it was left to Mr. Blount to determine what was the political situation in Hawaii, and in consultation with Admiral Skerrett he was to determine what should be done in a military way—what should be done by the United States on that occasion?

Senator GRAY. Is that true?

Mr. BLOUNT. I think that is true. I think, perhaps, it ought to be added, and my impression was, that if I had issued an order—and I took that not from the instructions but from the letter of the Secretary of the Navy—if I issued an order, the admiral would obey.

Senator DOLPH. The Admiral was not to exercise his discretion as to whether it was proper or not?

Mr. BLOUNT. I understood that I was to confer. That is clear in that paper. I was to confer with Admiral Skerrett, and I took it for granted that there would not be any difficulty about our differing on the question of landing troops.

Senator DOLPH. Was there any chance of a difference?

Mr. BLOUNT. Oh, there was a possible chance. But my idea was that in handling the troops on shore it would be a thing that ought to be very largely governed by Admiral Skerrett.

Senator DOLPH. That Admiral Skerrett was to obey your orders?

Mr. BLOUNT. You have the paper.

Senator DOLPH. How long was it from the time you arrived in Hawaii until you published your instructions?

Mr. BLOUNT. That is a matter of record, and not in my mind. I want to say this: I have not seen these papers in six months; my mind has been diverted, and I can not recollect. I could tell you absolutely in a few minutes by looking at these documents.

Senator DOLPH. Up until that time no one in the islands but Admiral Skerrett knew what your instructions were or what was the object of your mission in the islands?

Mr. BLOUNT. They never knew definitely. Of course, I was conducting an examination; sometimes it would be a member of the Provisional

Government and sometimes a royalist. I had no right to compel secrecy. There is a letter there from a man by the name of Ashford. He came in early, and I thought he was a pretty intelligent man. I did not know what sort of character he was. I thought I would learn something. He was disposed to talk. I said, "Will you not write me out your views;" and he did so. Sometime afterward, Mr. Smith, one of the editors of the annexation organ, the Hawaiian Star, said, "I got hold of something going on here; some of these fellows who come before you and are examined, tell." I said, "I did not tell you anything," and after that I found Ashford's letter published in the California papers. I did not see anything wrong, so far as the character of my investigation was concerned. I communicated nothing at all; but, of course, these people talked among themselves.

Senator BUTLER. I understand you to say that, so far as you were concerned, you made no communication of your instructions to anybody?

Mr. BLOUNT. No; I did not.

Senator DOLPH. Where were your headquarters; where was your investigation conducted?

Mr. BLOUNT. It was conducted in a cottage on the grounds of the Hawaiian hotel, possibly some 50 yards from the main building, where I took my meals.

Senator DOLPH. Were your family and suite the only occupants of the place?

Mr. BLOUNT. When we got there some tourists occupied a part of it. It was not private enough, and I said unless I got the cottage to myself I would leave. It was accordingly arranged.

Senator GRAY. The cottage belonged to the hotel?

Mr. BLOUNT. Yes. I went to the hotel and got my meals; but I did not want to be where anybody was.

Senator DOLPH. Were your examinations held at regular hours on appointed days, and adjourned from day to day, or were they just as you could get witnesses?

Mr. BLOUNT. I could always get a witness. The telephone system there is the finest you ever saw. I could get anybody I wanted. The rule I adopted was this: I would send for a witness on either side. I would telephone for him or use any other means I saw fit that was most convenient. I would examine the witness in the presence of my stenographer. Sometimes it would run over to the second day. I recollect once especially, in the case of Mr. Damon, whose examination was continued at his suggestion. When asked as to whether or not the recognition by Mr. Stevens took place before he went over to the palace, he said that he thought it did; but he wanted to talk about it to the attorney-general, Mr. Smith. He went off, and came back in a day or two and the examination was continued.

Senator DOLPH. You misunderstood my question. I want to know whether you treated your proceedings in the nature of a court, and held regular sessions at an appointed hour, with adjournments from day to day?

Mr. BLOUNT. Do you mean whether it was public?

Senator DOLPH. No, not whether it was public, but whether you adjourned at regular hours, or conducted it to suit your convenience?

Mr. BLOUNT. At my convenience. I had nothing to do with social life.

Senator DOLPH. Who was present at any time?

Mr. BLOUNT. Nobody present except my stenographer, the witness,

and myself; and no man ever knew from me what anybody had testified to.

Senator DOLPH. I suppose you talked with a great many persons about this subject?

Mr. BLOUNT. Oh, they talked to me; but I never communicated my views.

Senator DOLPH. You were told a great many things on both sides of this question by persons who had called upon you?

Mr. BLOUNT. Yes.

Senator DOLPH. And you never felt it incumbent upon you to make any record of what was said to you, or any report of it, except it was something which, in your judgment, ought to be taken down and reported? That is, you exercised your own judgment as to whether anything said to you should be made a part of your report; did you not?

Mr. BLOUNT. If I were to answer that directly, without any qualification, perhaps I would not convey a correct impression. I saw people and they would talk to me. For instance, a man would come in and say he was a royalist, and he would commence to abuse Mr. Stevens. I would say nothing at all. I could not communicate to him, and did not encourage the conversation. And so somebody else on the other side would abuse the royalists. I could not help those things. Those were the things that occurred. I never indulged in conversation with people about affairs there, as a rule.

The CHAIRMAN. At what time did you send your report to the Secretary of State as to the condition of affairs in Hawaii?

Mr. BLOUNT. The final report, I think, was in the month of July. But the record discloses that. I can not remember it.

The CHAIRMAN. Was it after you were appointed minister?

Mr. BLOUNT. Yes.

The CHAIRMAN. It appears that you were appointed minister on the 22d of August; that is, a letter informing you of your appointment on that date, with various items of inclosure and instruction, was sent to you as minister of the United States. On that appointment you took the oath of office?

Mr. BLOUNT. Yes.

The CHAIRMAN. Did you then communicate your appointment to the Dole Government?

Mr. BLOUNT. Oh, yes.

The CHAIRMAN. Did you make any communication of that to the Liliuokalani cabinet?

Mr. BLOUNT. Not the slightest. I had nothing to do with Liliuokalani at all; it was not a proper thing, I did not think.

The CHAIRMAN. And you continued in that office until you were asked to resign and came home?

Mr. BLOUNT. I sent my resignation by the vessel that brought the appointment. I expected to leave when I got through the investigation. My private business was not satisfactory, and I wanted to get home. I was worried about it. I thought it might be childish in me to send an absolute resignation, and I did not put it in that form; but I did take occasion in some correspondence to assure the Secretary that I did not want the place at all. As I said, my private business required that I should be at home.

The CHAIRMAN. The question is whether, while you were minister, the instructions of the Government to you in regard to Hawaiian affairs had been in any wise altered?

Mr. BLOUNT. No.

Senator DOLPH. I do not think you understood my question a few minutes ago, that you did not consider it incumbent upon you to make any record of these statements made by the numerous persons who called upon you and talked about the situation in Hawaii or include them in your report.

Mr. BLOUNT. No. If you will allow me to state, you will very readily see that I could not trust memory about those things, and hence I resorted to the plan of taking the statements in the form of interrogation and answer by the stenographer. I thought I would be enabled after the examination of witnesses on both sides, leading persons, to get at the condition of affairs; and, therefore, I did not trouble myself with every person whom I would meet who wanted to talk with me.

Senator DOLPH. You exercised your own judgment and choice as to which of the persons you came in contact with you would examine?

Mr. BLOUNT. I felt that I was there to conduct the examination, and I determined that I would conduct it according to my best judgment for the purpose of eliciting the truth. On one occasion, for instance, there was a committee came to me from the Annexation Club and said they had been appointed for the purpose of furnishing witnesses to me for the purpose of being examined. I was not pleased with it. That club was made up of people of all nationalities. I said to them, "Gentlemen, you do not understand my relation to you, or I do not. I am not a representative of any body in Honolulu; I am not under the control of any body in Honolulu; I am here to make an investigation for the Government of the United States, and while, perhaps, I will examine some persons you want examined, as a rule I want to direct these examinations and say whom I will examine and whom not."

Senator DOLPH. You indicated plainly to them that you would not hear any witnesses?

Mr. BLOUNT. I did not intimate anything of the kind.

Senator DOLPH. What did you say in regard to the proposition of this committee to furnish witnesses on the question?

Mr. BLOUNT. I said to them I would perhaps examine some of their witnesses; but I did not consent to the idea that the Annexation Club or anybody else was to furnish witnesses to me.

Senator DOLPH. Did you examine any witnesses furnished by that committee?

Mr. BLOUNT. Oh, I examined—the only name they ever mentioned to me was Mr. P. C. Jones.

Senator GRAY. Tell about P. C. Jones's examination. Did you examine him?

Mr. BLOUNT. No; I did not—regretted that I could not. There were other persons whom I would like to have examined. There was quite a mania on the part of the people on both sides to be examined when they saw the testimony was going into a public document. I would have gratified many of them if there had been an unlimited clerical force at my command; but I did not have it, and I did not believe it was going to elucidate anything to multiply witnesses.

Senator GRAY. Did Mr. Jones proffer himself as a witness?

Mr. BLOUNT. Oh, no. A young man came in there by the name of Wilder, a boyish sort of fellow, with this statement.

Senator GRAY. About Mr. Jones?

Mr. BLOUNT. About the wishes of the Annexation Club—a person whom I did not consider proper to take counsel with. I do not mean

that he was not a gentleman, but I had an idea about the Annexation Club, that there was a pretty rough element in there, and I know that was the opinion of the Provisional Government—many of them indulging in threats of assassination. They wanted me to turn over the celebration of the Fourth of July to the club, a political organization, which I declined; whereupon it went out in the United States that I was not in favor of the celebration of the Fourth, refused to arrange for the celebration of the Fourth, and all that sort of thing, although I presided at the celebration. I did not go to their meeting one night, Mr. Severance agreeing to go in my place to make arrangements for the appointment of committees, etc.

The CHAIRMAN. Did you preside at the Fourth of July meeting?

Mr. BLOUNT. Yes. "Marching Through Georgia" was played and all sorts of things.

Senator DOLPH. Was Mr. Nordhoff there, the correspondent of the Herald?

Mr. BLOUNT. Yes.

Senator DOLPH. Did you meet him frequently?

Mr. BLOUNT. Yes.

Senator DOLPH. Talked to him freely about the condition of affairs?

Mr. BLOUNT. I did not.

Senator DOLPH. Did you see a comparison in the New York Sun of portions of your report with letters of Nordhoff to his paper?

Mr. BLOUNT. I did not. If you will allow me, I never took up the subject of writing that report, never wrote a line until Mr. Nordhoff left the islands?

Senator DOLPH. You have not seen the Sun article?

Mr. BLOUNT. No; I have not.

Senator DOLPH. I understood you to say that none of the witnesses who appeared before you were sworn?

Mr. BLOUNT. Oh, no; I did not feel that I had authority to swear witnesses. I had them sign their testimony after reading it over.

The CHAIRMAN. There were affidavits submitted to you?

Mr. BLOUNT. There were some four or five affidavits—the matter in them very short. I did not have the time, and I said to those gentlemen, "I would be very glad if you would put these facts in the form of an affidavit, and they were brought there that way. It came about simply because of the pressure of time. I did not care to go into a general examination of those people; I did not have the means to do it.

Senator DOLPH. Did you in all cases have the statements of the parties who appeared before you extended into longhand and approved?

Mr. BLOUNT. Yes.

Senator DOLPH. Was all that was said before you by Admiral Skerrett made a part of your report?

Mr. BLOUNT. All that was said on what subject?

Senator DOLPH. On any subject. Did you report the communication from Admiral Skerrett—make it a part of your report?

Mr. BLOUNT. Yes, I did. For instance, I said to Admiral Skerrett, "Let us take a walk and see where those troops were located;" and we went. I wanted him to see, and I pointed out, where Arion Hall was, and the Government building from which the proclamation was read. I said, "What do you think about locating troops here so near the building under the circumstances?" He said, "They were not located here." He was under the impression that they were located some distance off. I said, "You are mistaken about that; I know they were located here." I said to him, "Now what do you think of this position of

the troops?" Of course, this was on the street, and it was not taken down. I suppose you wanted to know that.

Senator DOLPH. It is interesting, and I would like to hear it.

Mr. BLOUNT. Then Admiral Skerrett expressed the opinion which is contained in his statement. I said to him, "Admiral, I would be glad if you would give me that in writing;" and he gave it to me, and I forwarded it.

Senator GRAY. That is the statement that appears in print?

Mr. BLOUNT. That is the statement that appears in print.

Senator DOLPH. The whole statement appears in print?

Mr. BLOUNT. Yes.

Senator DOLPH. It was a conversation with you?

Mr. BLOUNT. Yes. My relations were closer with Admiral Skerrett than anybody else, consulting with him and so on. You can understand that it is an unsatisfactory state to be in, to be 2,000 miles from your country and nobody to talk to but Admiral Skerrett and my stenographer. They were the only persons I could talk to.

Senator DOLPH. Were any communications furnished to you upon the subject of your investigation which were not made a part of your report?

Mr. BLOUNT. I do not understand what you mean.

Senator DOLPH. Was everything included in your report which was furnished to you on the subject—written communication?

Mr. BLOUNT. I do not think I left any out.

Senator DOLPH. You have spoken in your examination of having said to the Provisional Government that you would be glad to receive a statement from those in power, and you spoke as though that had been addressed not only to the President but to the others.

Mr. BLOUNT. I used to go to the Government building where the president and his cabinet were sitting about, and I made the statement.

Senator DOLPH. Did you make a public statement, an address?

Mr. BLOUNT. Oh, no. They were sitting around a table. They made a small party, the president and cabinet and myself sitting in there—no formality.

Senator DOLPH. How came you to be present at the cabinet meeting?

Mr. BLOUNT. It was not a cabinet meeting; they sat in the same room and talked. I used to go in there and talk, and they came to the legation.

Senator DOLPH. Do you recollect the conversation that day between you and the members of the Provisional Government?

Mr. BLOUNT. It was not of any consequence; I remember that portion of it.

Senator DOLPH. Did you address your conversation to any particular one, and if so what was said?

Mr. BLOUNT. President Dole and the cabinet were sitting around, and I said to them, "Gentlemen, I would like to examine any of you with regard to the revolution; I can conceive that you might not care to submit to it." There was no response.

Senator DOLPH. Was that before or after the publication of your instructions?

Mr. BLOUNT. My impression is that it was before.

Senator DOLPH. So they knew nothing about the object of your mission except what had leaked out from the examination of witnesses when you made that suggestion?

Mr. BLOUNT. Leaked out? There was not much leaking about it.

Vice-President Damon came a few days afterward and was examined. Earlier than this Mr. Bishop, connected with the press, was examined. There were several persons on the annexation side who were examined. I did not suppose that there was any withholding of it from the Government at all; I think they knew very well what I was doing.

The CHAIRMAN. Allow me to inquire whether Sereno Bishop is a relative of the wealthy man who has made so many endowments there?

Mr. BLOUNT. I think not; I think Charles R. Bishop came from Boston—a young man.

The CHAIRMAN. And married a native?

Mr. BLOUNT. A native princess. He is a very excellent gentleman. Sereno Bishop's father was a missionary. I think I have this from Mr. Bishop. He was born down at Lahaina, on the island of Maui, the old capital.

Senator DOLPH. Who were the people representing the Queen's cause—her side of the controversy?

Mr. BLOUNT. Do you mean before me?

Senator DOLPH. No; I do not mean to say there was any representation before you. I understand that was with closed doors; there was no one present but you and the stenographer. I mean persons who saw you in the islands.

The CHAIRMAN. The alleged leaders of the Queen's cause.

Senator DOLPH. The alleged leaders of her government.

Mr. BLOUNT. Do you mean leaders in the sense of counseling in this investigation?

Senator DOLPH. That assumes that I am assuming that you allowed yourself to be counseled and directed by these people. I do not wish to convey any such impression. People called on you and talked with you, and I understood they called from early morning until late at night, and they talked about the matter of this revolution.

Mr. BLOUNT. I think you are entirely courteous; but this matter goes down in print, and therefore, I ask that everything be made plain, and that my every answer may be correct. I am not in the condition that you gentlemen are. I understand that I am the subject of a great deal of criticism, which is legitimate, and I want to understand the questions I am answering.

The CHAIRMAN. You mean to say that the right to criticise you is a legitimate one?

Mr. BLOUNT. Yes.

Senator DOLPH. I do not mean to criticise you. I wish to know who were the people who appeared, who called to represent the Queen's interest. That is all.

The CHAIRMAN. Who were the reputed leaders of the royal party?

Senator GRAY. Whom you met.

Mr. BLOUNT. The matter of leadership there is a very uncertain thing. There are a good many factions amongst them, as you will see from the testimony. But I would say that amongst the more prominent persons in the islands you will find Mr. J. O. A. Carter, Mr. E. C. MacFarlane, Mr. Parker——

The CHAIRMAN. Sam Parker?

Mr. BLOUNT. Sam Parker—a man by the name of Bush. He is another leader amongst them. They rather struck me with a little more positive force than some others.

Senator DOLPH. At the time the revolution took place how many of the cabinet acted in their interest while you were there?

Mr. BLOUNT. I never saw any cabinet at all. I kept aloof from their politics. I stayed in that building away from the social life.

Senator GRAY. Did you participate in the social life of the city?

Mr. BLOUNT. Not at all, except I found myself bound to accept invitations from President Dole and other officials. And there was a Mr. Glade, a German, there, a member of the committee of safety, and the consul-general of Germany. I thought I could make a few calls of that sort—calling on the officials.

The CHAIRMAN. You say Mr. Glade was the consul-general of Germany, and still a member of the committee of safety?

Mr. BLOUNT. He was a member of the committee of safety and a very active man in it.

Senator DOLPH. Did you meet those who were members of the Queen's cabinet at the time the revolution took place?

Mr. BLOUNT. Oh, yes.

Senator DOLPH. Talk with them?

Mr. BLOUNT. Oh, yes.

Senator DOLPH. Did any of them defend the restoration of the Queen, defend her rights?

Mr. BLOUNT. They were all for restoration, as I understood them?

Senator DOLPH. All the members of the cabinet?

Mr. BLOUNT. Yes. I think that will appear from the papers.

Senator DOLPH. Were they examined before you?

Mr. BLOUNT. I remember very distinctly Mr. Parker's examination. Whatever was done is in the record. As I say, I have not seen these papers in six months.

Senator DOLPH. Did Mr. Nordhoff talk to you about this matter?

Mr. BLOUNT. Mr. Nordhoff was like a good many other people; he would talk; but I did not confide in Mr. Nordhoff.

Senator DOLPH. You listened to what he had to say?

Mr. BLOUNT. Oh, yes.

Senator DOLPH. You did not disclose your instructions to him, but got what information you could from him?

Mr. BLOUNT. I let him talk. He never stayed long; he would talk and go away.

Senator DOLPH. Was anybody examined through Mr. Nordhoff?

Mr. BLOUNT. No.

Senator DOLPH. Any documents furnished you through him?

Mr. BLOUNT. He brought me one day a letter from Dr. Trosseau, a physician there, the family physician of Mrs. Carter, an xcellent lady (the wife of the ex-minister and sister of the chief justice end of Justice Bickerton, as I learned by accident). I think so; I have noa had a chance to examine these papers. It seems to me that that paperthis man sent to me—he wanted access to me, and he went to Nordhoff and Nordhoff wrote me a note inclosing these papers. They were in there. And it seems there was this communication from Nordhoff and a communication from this other man missing.

Senator GRAY. There is a communication from a Frenchman who was the physician of this Queen as well as the other people.

Mr. BLOUNT. There was a communication he sent. I did not like it. I never said a word to anybody about this paper from this physician, and I never sent for him. I made it a point not to get acquainted with him for some time after that occurred. For some time he used to come to the hotel, and for a long time I never met him. I did not care for anybody else to make suggestions. I said nothing to Mr. Nordhoff in any way about it; but I did not send for Dr. Trosseau. I did not like

the paper. The paper I have in mind was in relation to the amount of distribution of the sugar stock—sugar interests of the royalists and annexationists. It occurred to me it was very plainly an unreliable statement, not that he meant to deceive, but he was a man of prejudices.

I did not care to examine him, because I thought that I could get persons whose judgment was better than Dr. Trousseau's. I do not mean to say he was not intelligent and a very fine physician—I knew nothing against him. I must add this qualification: Learning much later on that Trousseau and other persons were with the Queen when she learned of the landing of the troops, I sought from them the effect on her mind and on the minds of those about her. For this purpose I asked Dr. Trousseau to write me his recollections of this matter.

Adjourned to meet on Saturday, the 13th instant, at 10 o'clock a. m.

WASHINGTON, D. C., *Saturday, January 13, 1894.*

The subcommittee met pursuant to adjournment.

Present: The Chairman (Senator MORGAN) and Senator FRYE.

Absent: Senators BUTLER, GRAY, and SHERMAN.

SWORN STATEMENT OF COMMANDER THEODORE F. JEWELL, U. S. NAVY.

The CHAIRMAN. Were you attached to the ship *Boston* in January, 1893?

Mr. JEWELL. No.

The CHAIRMAN. Where were you when that ship was in Honolulu?

Mr. JEWELL. I was here in Washington.

The CHAIRMAN. Have you ever visited the Hawaiian Islands?

Mr. JEWELL. Yes; I was there twenty years ago, when Kalakaua was elected King.

The CHAIRMAN. To what ship were you attached then?

Mr. JEWELL. The *Tuscarora.*

The CHAIRMAN. What was your rank and duty on that ship?

Mr. JEWELL. My rank in the Navy was lieutenant-commander; I was executive officer of the ship *Tuscarora.*

Senator FRYE. Do you mean that twenty years ago you were lieutenant-commander?

Mr. JEWELL. Yes.

The CHAIRMAN. How long did the *Tuscarora* remain at Honolulu then?

Mr. JEWELL. She was there six weeks. This is to the best of my recollection.

The CHAIRMAN. Did the *Tuscarora* get there before the election of the King, or after it had occurred?

Mr. JEWELL. She arrived there the day before the death of the former King; she was there before the election of Kalakaua.

The CHAIRMAN. And during the time?

Mr. JEWELL. And during the time.

The CHAIRMAN. Did you go on shore after the ship arrived in the harbor?

Mr. JEWELL. I was on shore occasionally in Honolulu, but not very

much. The executive officer of a ship is usually pretty well occupied, and I was ashore only once or twice during the time we stayed there.

The CHAIRMAN. Did you attend the meeting of the legislative body that elected Kalakaua King?

Mr. JEWELL. No, I did not. I was on board the ship at that time.

The CHAIRMAN. The contest at that time was between Kalakaua and Queen Emma?

Mr. JEWELL. Yes.

The CHAIRMAN. Did you ascertain whether the Americans there who claimed Hawaiian denizenship, as well as those who did not, were in favor of Kalakaua or Queen Emma?

Mr. JEWELL. It was the general understanding that English influence was supporting Queen Emma and that the Americans were supporting Kalakaua.

The CHAIRMAN. That was a marked fact in the situation?

Mr. JEWELL. Oh, no question about it.

The CHAIRMAN. Did the Americans there, to your knowledge, take any active part in agitations, commotions, or insurrections?

Mr. JEWELL. Not at all; no.

The CHAIRMAN. They stood aloof?

Mr. JEWELL. The riots which occurred during Kalakaua's election were entirely among the natives. There were a number of Americans who were in the Government at that time. The minister of foreign affairs was an American.

The CHAIRMAN. Do you recollect his name?

Mr. JEWELL. Charles R. Bishop was his name. But I think there was nothing in the nature of inflammatory meetings previous to this election.

The CHAIRMAN. Were troops sent on shore from the *Tuscarora*?

Mr. JEWELL. Yes.

The CHAIRMAN. Was there any other American ship in the harbor at that time?

Mr. JEWELL. Yes, the sloop *Portsmouth* was there, and men were landed from both ships.

The CHAIRMAN. About what number?

Mr. JEWELL. I commanded the forces that were landed from the *Tuscarora*, perhaps 80 men, and perhaps the same number from the *Portsmouth*.

The CHAIRMAN. When you landed did you go armed and equipped for fighting?

Mr. JEWELL. Yes.

The CHAIRMAN. Did you take rations with you?

Mr. JEWELL. No; we did not take rations, but we were in close communication with the ship all the time. As a matter of fact, we did not subsist ourselves on shore.

The CHAIRMAN. On whom did you subsist?

Mr. JEWELL. The Hawaiian Government.

The CHAIRMAN. Did you go ashore on the invitation of the Hawaiian Government?

Mr. JEWELL. Yes; as I understand, at the request of the cabinet in the interregnum between the death of Lunalilo and the election of Kalakaua. The Government requested that men be landed if a riot should occur. It was anticipated it would happen because of the one that occurred at the election of the other King the year before. Capt. Belknap, who was in command of the *Tuscarora*, and who was the senior officer there, made some arrangement with Mr. Pierce, the

American Minister, by which the men were to be landed if they were wanted.

The CHAIRMAN. Lunalilo, the former King, was King by inheritance?

Mr. JEWELL. No; he was elected King.

The CHAIRMAN. Was it not this way; that he was a King by inheritance, and he ordered a plébiscite to see if the people favored his going to the throne?

Mr. JEWELL. I am not prepared to say that; but I am quite certain that he was not King by inheritance.

The CHAIRMAN. You understand that at the time of his election riots had occurred?

Mr. JEWELL. Yes.

The CHAIRMAN. Was it your understanding also on that occasion that American troops had been landed?

Mr. JEWELL. I think not, but I am not prepared to say positively.

The CHAIRMAN. It was in the time of the interregnum, as you term it, properly between the death of Lunalilo and the election of Kalakaua, that the American Minister requested the commander of these ships to land troops?

Mr. JEWELL. To be prepared to land troops in case of necessity.

The CHAIRMAN. Had the election of Kalakaua taken place before you landed?

Mr. JEWELL. It had; yes.

The CHAIRMAN. But you were in a state of preparation?

Mr. JEWELL. We were standing by. The captain of the *Tuscarora* went on shore on the morning of the election, about 9 o'clock, and left me in charge of the ship, with instructions to keep a look out on the American bark where one of our officers was stationed with a signal which was to be given to land the men if needed, and we were in a state of preparation all day. We got the signal about 3 or 4 o'clock in the afternoon.

The CHAIRMAN. Who was the ranking officer in order at that time?

Mr. JEWELL. Capt. Belknap.

The CHAIRMAN. He had command of the forces on both ships?

Mr. JEWELL. Yes. The senior naval officer, the ranking naval officer, is always assumed by virtue of his rank to be in command of the forces.

The CHAIRMAN. How many men did you land?

Mr. JEWELL. We landed about 80 men. I do not know exactly as to the *Portsmouth*, but 80 men from the *Tuscarora*.

The CHAIRMAN. How many from the other ship, the *Portsmouth*?

Mr. JEWELL. 75 or 80. I think the whole force numbered 150 men.

The CHAIRMAN. Did you spend the night on shore?

Mr. JEWELL. Oh, we stayed a week; I myself was on shore four days; and at the end of that time one-half of the force was withdrawn and the remainder stayed three or four days longer.

The CHAIRMAN. What was the disposition of the people there when you landed as to their being peaceful or turbulent?

Mr. JEWELL. There were several hundred people around the court-house, the legislative building, when we got there. The court-house was pretty well wrecked by the mob, was in possession of a mob of natives. They cleared out of the court-house the instant we arrived on the ground. We sent a small force into the building and the rioters jumped out of the windows and cleared out, although they hung around the grounds. They were making demonstrations and were talking loudly in their own language, which we did not understand, of course.

The CHAIRMAN. Did the mob make any fight?

Mr. JEWELL. They did not offer any resistance at all; no. There was one man who waved a club in front of a petty officer, but he took the man by the back of the neck and gave him a shake, and he was quieted.

The CHAIRMAN. Did you bivouack around the court-house that night?

Mr. JEWELL. The men from the *Portsmouth* occupied the court-house, slept in the court-house.

The CHAIRMAN. Where did your men go?

Mr. JEWELL. To the armory. This was a building in which there were several public offices, among them the captain's of the port; in one story there were some arms belonging to the Government, perhaps 100 stands of rifles.

The CHAIRMAN. Did you find the arms there when you got there?

Mr. JEWELL. Yes.

The CHAIRMAN. Was there any organized force of the Government?

Mr. JEWELL. I think nothing but the police. I have an impression that there was a militia company, volunteers or militia, but not in the service of the Goverment?

The CHAIRMAN. At that time did you ascertain that the Government had any regular troops?

Mr. JEWELL. It has been so long ago that I can not remember. But my impression is that there was nothing organized in the Government service except the police force.

The CHAIRMAN. Did you take command of both forces?

Mr. JEWELL. No; the executive officer of the *Portsmouth* was the ranking officer on shore. But Captain Belknap was in communication with us, and he was supposed to be in command. Although Capt. Belknap stayed on board ship every night, he was on shore every day, and our reports were made to him. The force from the *Portsmouth* had charge of the fort house and some other public buildings including the mint, the treasury, perhaps. I had charge of the prison and the armory. There was another significant fact connected with that landing. There was an English man-of-war in the harbor at the time. There had not been any prearrangement about the landing of her men; nevertheless, shortly after we got on shore, 75 or 80 men from the English vessel, under arms and organized, put in an appearance.

The CHAIRMAN. How long did they remain on shore?

Mr. JEWELL. They remained some days; just how long I do not know. The men were not allowed to circulate very much about the town, and I kept myself pretty well confined to the barracks. But after the mob was broken up down at the court-house, the most of them went up to Queen Emma's residence, which was some distance away, and the troops from the English man-of-war, on the suggestion of Mr. Bishop, I believe, went up there to clear out the mob, and remained there. They went there to drive off the mob assembled around Queen Emma,

Mr. JEWELL. Yes. I understand there were some incendiary speeches made at that time in the neighborhood of Queen Emma's residence, and perhaps Queen Emma made some remarks herself.

The CHAIRMAN. Were there any incendiary fires during the time you were on shore?

Mr. JEWELL. No. The first night there were some stones thrown at the men from the *Portsmouth*, and a pistol shot; but in the part of the town where we were it was pretty quiet. We patrolled the streets the first night, and I do not know but that we did it after that. That

is to say, we sent out a small body of men for two or three hours to break up any disorderly gathering.

The CHAIRMAN. Were there any arrests made by the American forces?

Mr. JEWELL. A few of the rioters were arrested at the court-house; but they were turned over to the police right away. As a rule the native police mingled with the crowd; they were as bad as the rest of them.

The CHAIRMAN. Did any of the Kanakas appear to take sides with Queen Emma?

Mr. JEWELL. Oh, yes.

The CHAIRMAN. I mean with Kalakaua?

Mr. JEWELL. The popular feeling amongst the natives in Honolulu at that time was against Kalakaua; that is to say, it was in favor of Queen Emma. But there were plenty of the better class of Kanakas who were in favor of Kalakaua.

The CHAIRMAN. I suppose it was a question, if I gather it correctly, between the pure native element and the mixed element of whites and half-whites and the better classes of the Kanaka people?

Mr. JEWELL. I am sure I would not know how to divide the feeling in that way; I gathered it from very limited communication with the shore; I have only a general impression in regard to it, that most of the lower classes, the commoner Kanakas, were in favor of Queen Emma, and it was generally supposed the English residents were, particularly the English minister-resident, or whatever he may have been. It was an intrigue in favor of Queen Emma, and they had incited these common people to this performance, this riot.

The CHAIRMAN. Do you know where Kalakaua was during your stay there?

Mr. JEWELL. No, I do not.

The CHAIRMAN. Did you see him?

Mr. JEWELL. Oh, yes; I saw him frequently.

The CHAIRMAN. In his palace?

Mr. JEWELL. I think I never saw him in the palace, though he lived there after his election was proclaimed.

The CHAIRMAN. Kalakaua remained in his palace after his election was proclaimed?

Mr. JEWELL. Yes.

The CHAIRMAN. Before that time, did you know about him?

Mr. JEWELL. I simply knew he was a clerk in the custom-house or post-office, or some other office.

The CHAIRMAN. Do you know where he was between the time of the death of Lunalilo and the election?

Mr. JEWELL. I know he was in Honolulu.

The CHAIRMAN. But where—you do not know whether he was under the protection of any foreign ship?

Mr. JEWELL. I know he was not.

Senator FRYE. Who was it requested the troops to land at that time?

Mr. JEWELL. It was understood that the request was made by Mr. Bishop, who was the minister of foreign affairs of the Hawaiian Government, to Mr. Pierce, the American minister resident; and between Mr. Pierce and Capt. Belknap—I do not know whether there was any written communication between them or not—but it was arranged between them that in the event of a riot the men were to be landed.

Senator FRYE. Your troops did not bivouac down in the business part of the city?

Mr. JEWELL. Yes; the armory, where the principal part of my men was was right in the business part of the city.

Senator FRYE. But up around the court-house and the Government buildings?

Mr. JEWELL. That was not the business part.

Senator FRYE. They remained in the court-house and Government buildings three or four days?

Mr. JEWELL. Yes.

Senator FRYE. Under the law and naval regulations, what do you understand to be the rights of a United States naval officer touching the preservation of order in a naval city? I ask you that question because I noticed in reading the wording of the order which Capt. Wiltse gave to Lieut. Swinburne that he recited the protection of the consulate, the legation, the lives and property of American citizens, and to preserve order. What would you do as an officer if you were ordered to go ashore and do those things? What do you understand "preserving order" to be—what right would you have?

Mr. JEWELL. Do you mean if I were actually in command of a body of troops which had landed to preserve order?

Senator FRYE. Yes.

Mr. JEWELL. I should arrest disorderly persons. I should break up incendiary meetings and take the people into custody.

Senator FRYE. Would you not do it in cooperation with the Queen or whoever was then in power?

Mr. JEWELL. Unquestionably with the constituted authorities—yes.

The CHAIRMAN. You say that these troops were landed at the request of the cabinet which had been appointed by Kalakaua?

Mr. JEWELL. No; the previous cabinet.

The CHAIRMAN. Which had gone out of office?

Mr. JEWELL. It had not gone out of office—no.

The CHAIRMAN. Was that request communicated in writing?

Mr. JEWELL. I do not know about that; but my impression is it was not.

The CHAIRMAN. Was the purport of that request communicated to you by your superior officer?

Mr. JEWELL. Well, only in conversation. In giving me my instructions Capt. Belknap had told me what this arrangement was.

The CHAIRMAN. Were your instructions in writing?

Mr. JEWELL. They were not; they were verbal entirely.

The CHAIRMAN. Be kind enough to state what orders Capt. Belknap gave you on that occasion, and upon what grounds he based his right to give you such orders?

Mr. JEWELL. Do you mean the orders previous to the landing of the troops?

The CHAIRMAN. Capt. Belknap was in actual command of the forces while they were on shore?

Mr. JEWELL. Yes.

The CHAIRMAN. But while he was on shipboard you were the next in command?

Mr. JEWELL. No; Lieut. Commander Clarke, of the *Portsmouth*, was the next in rank; but he was at the court-house, which was a quarter of a mile from where I was.

The CHAIRMAN. You were in command of the other detachment?

Mr. JEWELL. Yes.

The CHAIRMAN. And you received your orders and instructions from Capt. Belknap and not through Lieut. Clarke?

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Mr. JEWELL. Yes.

The CHAIRMAN. State what the instructions were that were given to you by Capt. Belknap to be executed by you in his absence.

Mr. JEWELL. The general instructions were to preserve order and to keep myself confined as much as possible to the quarters which had been assigned to us; not to excite the natives to opposition. I also had orders to patrol certain streets of the town during the night, to prevent any disorderly gathering of the people and to arrest people who were guilty of disorder. I can not remember any specific instructions otherwise. The idea was that order was to be preserved in the town, and that we were authorized to arrest people and turn them over to the civil authorities.

The CHAIRMAN. And you did so?

Mr. JEWELL. We had no occasion to arrest anybody.

The CHAIRMAN. There were persons arrested, were there not?

Mr. JEWELL. Only during the first part of the riot when the troops arrived on the ground. Then men were arrested and turned over to the native police; but not after that.

The CHAIRMAN. But you did arrest persons on that occasion and under these orders?

Mr. JEWELL. Yes. Capt. Belknap was personally at the court-house when the force arrived there.

The CHAIRMAN. Then, if I gather your position correctly, the troops were invited by the cabinet to come ashore for the purpose of preserving the public order.

Mr. JEWELL. Yes.

The CHAIRMAN. Was there anything in the situation that required you to participate on the one side or the other in any conflict or civil commotion that might occur among the people?

Mr. JEWELL. No; nothing whatever.

The CHAIRMAN. You were ordered to preserve order, no matter who was disorderly?

Mr. JEWELL. Yes.

The CHAIRMAN. But you were there by the invitation and consent of the then Government?

Mr. JEWELL. Yes.

The CHAIRMAN. Were you placed under the command of any military officer or authority of the Hawaiian Government?

Mr. JEWELL. No.

The CHAIRMAN. You were acting under your own orders?

Mr. JEWELL. Entirely so; yes.

The CHAIRMAN. The King did not appear on any occasion for the purpose of taking control of the forces?

Mr. JEWELL. No. He took the oath of office the next day after his election, and all the troops on shore were paraded at that time.

The CHAIRMAN. Was that the day after you landed?

Mr. JEWELL. Yes.

The CHAIRMAN. They were paraded how?

Mr. JEWELL. The forces from the two American ships, the *Tuscarora* and the *Portsmouth*, and those from the *Tenedos*, the English man-of-war, were all at the courthouse to receive the King, and all presented arms when he passed into the building to take the oath of office.

The CHAIRMAN. Did he pass through the ranks?

Mr. JEWELL. I think he did. I do not know exactly what the form was.

The CHAIRMAN. Were there any other troops there beside the English and American troops?

Mr. JEWELL. No.

The CHAIRMAN. And police force?

Mr. JEWELL. Yes; I think the police were about, but not as an organized body of troops—not in the nature of a body of troops; they were in the crowd.

The CHAIRMAN. They were not a part of the receiving escort or force?

Mr. JEWELL. No.

The CHAIRMAN. The King came then and took his oath of office?

Mr. JEWELL. Yes.

The CHAIRMAN. After he took the oath of office did he take any control of the troops under your charge?

Mr. JEWELL. No; not the slightest.

The CHAIRMAN. You did not look to him for any orders in regard to the conduct of the troops on the island so long as you remained there?

Mr. JEWELL. No.

The CHAIRMAN. If Capt. Belknap had any such orders you would have known it?

Mr. JEWELL. Oh, I think so; yes.

The CHAIRMAN. It was then a body of American soldiery, so far as you were concerned, that was there at the invitation of the cabinet of the former King to preserve order, to put down riot, to arrest disturbers of the peace and those who had been assailing the Legislature?

Mr. JEWELL. No; we were not to take any cognizance of anything which took place before the landing; we were only to arrest people whom we saw in the act.

The CHAIRMAN. People caught *flagrante delicto?*

Mr. JEWELL. Yes; we took no notice of what happened before. The court-house was full of people; as we came into the front door they went out of the windows. But we did not arrest any of them. Capt. Belknap cautioned us to be discreet in anything we did, and not to assume too much.

Senator FRYE. And you regarded what you actually did as very discreet?

Mr. JEWELL. I did; yes.

The CHAIRMAN. In how many days did you return to the ship?

Mr. JEWELL. My impression is that I went back to the ship in four days, when the force was reduced to one-half the original force, and I think the rest stayed four days longer, perhaps only three days longer. I think about a week our men were on shore.

The CHAIRMAN. Do you know on whose request it was that the troops retired from the islands?

Mr. JEWELL. I think the first reduction of the force was made by Capt. Belknap without any request from the Government; but, after the new cabinet was organized, my impression is that the minister of foreign affairs wrote to the American minister resident and said that the occasion for the troops had passed and they might be withdrawn.

The CHAIRMAN. Do you remember whether the English forces were withdrawn before the American forces were?

Mr. JEWELL. I think not; I think they remained about the same time.

The CHAIRMAN. You do not know, as a matter of fact, which of the forces actually withdrew first?

Mr. JEWELL. No. I think our force was reduced before the English force. But to this day I do not remember seeing the English troops

after they marched out of the court-house grounds up to Queen Emma's. I do not remember to have been brought into contact with them. As I said, we were in a different part of the city, and I confined myself and men to the barracks.

The CHAIRMAN. Did you have a flag when you went on shore?

Mr. JEWELL. We carried our flag with the battalion.

The CHAIRMAN. Did you raise any colors on any pole or house?

Mr. JEWELL. No.

The CHAIRMAN. You know nothing about these later transactions of January, 1893?

Mr. JEWELL. Only what I gathered from the newspapers.

The CHAIRMAN. I would be glad to have you state anything that pertains properly to this question.

Mr. JEWELL. In regard to this landing in 1874 I would say that there were at that time in the pro-English press of Honolulu, and have been since, charges made that we interfered at that time in the internal affairs of Hawaii. But I think nobody paid any particular attention to them. So short a time ago as December, 1892, an article appeared in a paper called The Illustrated American, published in New York, which charged that the American minister and American troops had interfered in the affairs of Hawaii in 1874, and had kept Queen Emma, who was "the rightful heir to the throne," off of the throne, and put Kalakaua in her place. I wrote a letter denying every statement in that paper, which I felt certain was inspired by some of the English-feeling people in Honolulu. I was told afterward that that was the case. It was full of misstatements, and I felt more or less indignation at the way in which they talked about the disgraceful manner in which the troops had taken part in the affairs of Hawaii. I replied to it. I did not know but what that brought me before this committee.

The CHAIRMAN. Possibly so; but in making up your replies to that article did you think over the whole situation as it occurred and refresh your memory about it?

Mr. JEWELL. Yes.

The CHAIRMAN. And you are satisfied that your statements here are correct?

Mr. JEWELL. Yes.

Senator FRYE. Have you a copy of that communication?

Mr. JEWELL. No; I have not in my possession.

The CHAIRMAN. Do you remember whether or not before you left the ship with those troops Kalakaua was elected by the Legislature or was the election pending?

Mr. JEWELL. I had not been informed as to the result of the election. We embarked our men by signal from shore—the signal was made on this American bark—and before I knew anything about the election I had my men on shore.

The CHAIRMAN. But the preparation about which you spoke as having been made on the ship, to hold yourselves in readiness, to stand by, you say was begun before the election took place?

Mr. JEWELL. Yes.

The CHAIRMAN. Some days before?

Mr. JEWELL. No, the morning of the day of the election.

The CHAIRMAN. You knew that the election was about to take place?

Mr. JEWELL. Yes; a special session of the Legislature had been called for that purpose.

The CHAIRMAN. And the military preparation on the ship anticipated the election?

Mr. JEWELL. A few hours; yes.

The CHAIRMAN. And view of it, and in expectation that that election would create civil commotion?

Mr. JEWELL. In the fear of it, that it might be so. I believe that the cabinet was rather severely criticised for not having made better preparation and for not having asked that the troops be sent on shore earlier.

The CHAIRMAN. I suppose that this preparation was made on board ship because of some request that had been made or intimated to the commanding officer by the cabinet?

Mr. JEWELL. The arrangement was made between Capt. Belknap and Minister Pierce, but it was at the solicitation of the Hawaiian Government.

The CHAIRMAN. And in anticipation of the fact that there might or would be civil commotion at the time the election took place?

Mr. JEWELL. Yes.

The CHAIRMAN. Had you ever had anything to do with the landing of troops before that?

Mr. JEWELL. Yes.

The CHAIRMAN. Where was it?

Mr. JEWELL. At Panama; we took possession of that town for four or five days; that is, so far as we could. We did not come into contact with the people who were fighting there.

The CHAIRMAN. Was there any minister resident at Panama at that time?

Mr. JEWELL. No; there was a consul-general.

The CHAIRMAN. Was the landing made at his request?

Mr. JEWELL. I do not know. I knew very little about what led up to that.

The CHAIRMAN. What year was that?

Mr. JEWELL. That was in 1872. The force of which I had command was landed to protect the Pacific Mail Company's property. Afterward a larger body was landed from the flagship, and went up into the city under the command of another officer.

The CHAIRMAN. Who was that officer?

Mr. JEWELL. P. F. Harrington, at present a commander in the Navy.

The CHAIRMAN. How many ships did he have in port at the time?

Mr. JEWELL. Only two. The *Tuscarora* was lying there, and she was about landing her men when the flagship arrived. The landing of the men was suspended for an hour or so until the captain could communicate with the admiral, when they were sent on shore. My instructions were then that I was not to go into the city, but to confine myself to the Pacific Mail Company's wharf. There was a great deal of merchandise which had just been landed from one of the Pacific Mail steamers.

The CHAIRMAN. What port were you at before you went to Panama?

Mr. JEWELL. We had come up from Callao, I think.

The CHAIRMAN. Did you come up for the purpose of protecting the property?

Mr. JEWELL. No. We came up for the purpose of taking a surveying party down on the isthmus, which was surveying for the interoceanic canal there. I also landed men when in command of the *Essex* on the China station at the request of the American minister in the capital of Corea. I landed men at Chemulpo and marched them up to Seoul, Corea.

The CHAIRMAN. Coming back to Panama. Was that a political strife that existed in Panama at the time of which you spoke?

Mr. JEWELL. I believe so—one of the periodical revolutions which nobody can account for.

The CHAIRMAN. How long did your troops remain on shore?

Mr. JEWELL. I think about six days.

The CHAIRMAN. Did they camp on shore?

Mr. JEWELL. Yes.

The CHAIRMAN. Was there any disturbance in the vicinity of your camp?

Mr. JEWELL. No. Firing was going on all the time between these two parties, around corners, out of windows, etc., and every time we showed ourselves down on the wharf they would fire at us. They would fire at a light at night—amuse themselves that way; but never did any particular damage.

Senator FRYE. But the troops from the other ship went up into the city?

Mr. JEWELL. Yes.

The CHAIRMAN. What distance was that; how far did they have to go to get into the city?

Mr. JEWELL. Perhaps half a mile.

The CHAIRMAN. Did they remain in the city?

Mr. JEWELL. Yes.

The CHAIRMAN. And the American troops remained on shore until peace was restored—order was restored?

Mr. JEWELL. Yes.

The CHAIRMAN. You have no particular information as to whether either faction of the people there desired your presence?

Mr. JEWELL. No, I do not know about that at all. I think the call was made by the Pacific Mail Company, in the first instance, for the protection of the property in transit—merchandise in transit. I believe we have certain treaty rights down there in regard to landing men.

The CHAIRMAN. Now, the Corean incident. What was the occasion for landing there?

Mr. JEWELL. It was an excitement in Seaul, the capital. Threats had been made against the foreign population, and I think they were all more or less scared. I do not think they were in any very great danger. But the American minister wrote to me that he would probably call upon me for a small force for the protection of the legation, and soon after I received the letter I received a telegram from him asking me to dispatch the men.

The CHAIRMAN. You were in command of the ship at that time?

Mr. JEWELL. Yes.

The CHAIRMAN. How many men did you send?

Mr. JEWELL. Twenty-five or 30—I think 30 men.

The CHAIRMAN. How long did they stay ashore?

Mr. JEWELL. I think about a week; until quiet was restored.

The CHAIRMAN. That was not a political revolution, but it was an opposition of the natives to the foreign population in general?

Mr. JEWELL. Yes.

The CHAIRMAN. And you really landed for the purpose of protecting the American citizens there and the legation?

Mr. JEWELL. Yes. There were other men-of-war there at the time and they all landed troops. That is to say, there was a French man-of-war, a Russian man-of-war, and a Japanese man-of-war. I think they all sent men up there.

The CHAIRMAN. Was there any other occasion when you have landed troops?

Mr. JEWELL. No.

The CHAIRMAN. Is it one of the standing orders or rules of the Navy that when the minister resident at a foreign port, or consul at a foreign port, requests the naval officer to land troops to protect the peace of the consulate, the naval officer is to do it?

Mr. JEWELL. The officer in command of a vessel has to decide that when it comes up.

The CHAIRMAN. Upon the facts in every emergency?

Mr. JEWELL. Yes.

Senator FRYE. He can not relieve himself for responsibility except by the orders of a superior officer?

Mr. JEWELL. In no other way. He is responsible for any such landing or landings he may make. In my own case I had asked the admiral particularly in regard to the landing of men in Corea. I had asked him to give me instructions, but he said I would have to depend upon my own judgment in case of necessity, in case the request was made.

The CHAIRMAN. So that a naval officer in command at any foreign port is thrown upon his individual judgment as to the necessity or propriety of landing forces?

Mr. JEWELL. Yes.

The CHAIRMAN. Is he bound to receive from the consuls or ministers of the United States their orders or requests or direction as being military orders?

Mr. JEWELL. No.

The CHAIRMAN. Their orders address themselves to the naval officer's discretion?

Mr. JEWELL. Yes, exactly. They come in the form of a request.

The CHAIRMAN. And they do not relieve the naval officer from responsibility as a naval officer.

Mr. JEWELL. Not at all.

The CHAIRMAN. Whereas if the orders come from a superior authority the naval officer is bound to obey, and he is relieved from any responsibility in obeying?

Mr. JEWELL. Yes.

The CHAIRMAN. Have you cruised much in the Pacific Ocean?

Mr. JEWELL. No; except that I have been three years on that China station; not otherwise. I was two years and a half in the *Tuscarora*, and I was in the Pacific then.

The CHAIRMAN. Is the *Tuscarora* a steamship?

Mr. JEWELL. Yes.

The CHAIRMAN. Have you been on steamships during all your cruises out there?

Mr. JEWELL. Yes.

The CHAIRMAN. What are the nearest points where a coal supply can be obtained? I do not mean the place where supplies have been accumulated, but where the countries produce the coal?

Mr. JEWELL. Nearest to Honolulu?

The CHAIRMAN. Yes.

Mr. JEWELL. I do not know of any. They have an inferior kind of coal in the Straits of Juan de Fuca, at Vancouvers Island. I think that is the nearest point.

The CHAIRMAN. Is that what is called the Seattle coal?

Mr. JEWELL. It may be Seattle coal.

The CHAIRMAN. It is the same thing?

Mr. JEWELL. I have no doubt it is the same thing; but it is not a good quality of coal.

The CHAIRMAN. And that is the nearest point to Honolulu where coal can be obtained?

Mr. JEWELL. I think so; yes.

The CHAIRMAN. What is the next nearest point?

Mr. JEWELL. I do not know of any natural coal bed nearer than in Japan. I do not know any nearer place where they produce coal.

The CHAIRMAN. Have you ever used that Japan coal?

Mr. JEWELL. Oh, yes; used it invariably out there on the station.

The CHAIRMAN. Is it a good coal?

Mr. JEWELL. Very good coal.

The CHAIRMAN. Is it abundant?

Mr. JEWELL. Quite so; yes.

The CHAIRMAN. Where do you take it on board ship?

Mr. JEWELL. Anywhere; but Nagasaki was the port nearest the coal mines.

The CHAIRMAN. You can get it in sufficient quantities at any point to answer your purpose?

Mr. JEWELL. Yes.

The CHAIRMAN. Now, the next nearest?

Mr. JEWELL. There are coal mines on the Siberian (Kamchatkan) coast, or it may be in the northern island of the Japan group. There was a coal that I tried out there; I think an inferior coal, and not a very large supply. Of course, there are also Welsh coals, and others to be found in Hongkong.

The CHAIRMAN. In Souch America are there any coal mines, the product of which is good for steam navigation?

Mr. JEWELL. I do not recall any at this time, until you get down in the Straits of Magellan.

The CHAIRMAN. How is that coal?

Mr. JEWELL. It is a good deal like Nanaimo (Vancouver Island) coal.

The CHAIRMAN. Is it an inferior coal?

Mr. JEWELL. Yes.

The CHAIRMAN. Hard to get out?

Mr. JEWELL. Not too hard to get out; but it is not entirely carbonized. It is a lignite. It is very light, bulky, and burns up rapidly.

The CHAIRMAN. You have no knowledge of coals in South America north of the Straits of Magellan?

Mr. JEWELL. No; I do not remember any coal mines.

The CHAIRMAN. Where do you get coal in Australia?

Mr. JEWELL. I do not know.

The CHAIRMAN. Did you ever coal a ship at Sidney, Australia?

Mr. JEWELL. No.

Senator FRYE. They have coal mines there?

Mr. JEWELL. Oh, yes.

The CHAIRMAN. Oh, yes. Suppose a fleet of war ships of a modern pattern, first-class war ships, were to sail from any European port, either through the Mediterranean or around the Cape of Good Hope, or around Cape Horn, for the purpose of attacking San Francisco—I will put that as the objective point—would they be able to bring from any European port coal enough to sustain them in their voyage to San Francisco and during a series of naval operations, which would include a siege, say of ten days, without the assistance of tenders?

Mr. JEWELL. No; I think not.

The CHAIRMAN. They could not carry in their bunkers coal enough to include a naval operation of that much voyage and that much sea?

Mr. JEWELL. No. There is a certain coal endurance which is assigned

to these ships, certain number of miles, which is called the steaming radius of the vessel. I think, as a rule, that is exaggerated; at all events, a vessel would arrive on the ground empty. She would not have any coal left. I do not believe it would be possible for any vessel to arrive at San Francisco, under the circumstances which you have mentioned, without coaling in the meantime.

The CHAIRMAN. Then any foreign power that undertook to attack our Western coast and had possession of the Sandwich Islands, with a full supply of naval stores, wood, and coal at that point, would they have very much greater advantages than they would have in the absence of their occupation of that port?

Mr. JEWELL. Oh, yes.

The CHAIRMAN. Now, reverse the matter. Suppose the United States were in possession of the Sandwich Islands and had the supplies that would naturally be placed in such a position as that, would not that greatly increase the power of the naval defense of the United States?

Mr. JEWELL. I should say, decidedly, yes.

The CHAIRMAN. Then I take it that you would regard the possession of the Sandwich Islands, the occupation of the Sandwich Islands, or some place there, as being of great strategic advantage as against any foreign country, either Asiatic or European, upon our coast?

Mr. JEWELL. I think it would; yes.

The CHAIRMAN. In a commercial sense what would be the advantage of the possession of the Sandwich Islands by the United States?

Mr. JEWELL. It is immediately in the track of vessels bound from San Francisco to New Zealand and Australia and all the Southern Pacific islands; and it is not far from the direct track between San Francisco and Japan and China. In fact, the sailing route from San Francisco to Japan and China would be in the immediate neighborhood of the Sandwich Islands.

The CHAIRMAN. What advantage would that be to the commerce of the United States, or to the United States as a Government, to have these resting places there in the center of the Pacific Ocean?

Mr. JEWELL. It would be an advantage to every steamship as a coaling point, and to other vessels for the purchase of supplies of various kinds, provisions, etc.

The CHAIRMAN. Is that very necessary or desirable in passing so vast an expanse of water as the Pacific Ocean?

Mr. JEWELL. Very desirable, but, of course, not absolutely necessary—ships can carry them across. If it can be done, it is desirable that the supply should be obtained frequently.

The CHAIRMAN. If the Sandwich Islands were in possession of some great commercial nation, like the United States, capable of caring for them and securing neutrality and all the requirements of maritime law, navigation, etc., would such an occupation by the United States as I have indicated be of advantage to the commerce of the world?

Mr. JEWELL. Of course, it is always desirable to have a stable government in such an important point in the trade route as the Sandwich Islands, and in that sense it would be, of course, an advantage to the commerce of the world.

The CHAIRMAN. It would be to the advantage of the commerce of the world that any stable and great power should have the occupation of those islands, rather than a weak and uncertain power.

Mr. JEWELL. Yes.

The CHAIRMAN. Such as would be furnished by the native population of Hawaii?

Mr. JEWELL. Yes; I should think so.

The CHAIRMAN. I suppose you would consider that the commercial affairs of the world would be benefited by having in Hawaii a strong and just government?

Mr. JEWELL. I should say so; yes, beyond question.

The CHAIRMAN. It would give confidence to capital to embark in trade, I suppose.

Mr. JEWELL. Yes.

The CHAIRMAN. And increase the exports and imports of the different countries?

Mr. JEWELL. I think so.

The CHAIRMAN. Do you know any place in any of the seas of the world where greater advantage can be bestowed upon the commerce of the world than could be obtained by the possession of the Sandwich Islands by a great maritime power, one that had the resources to preserve order and facilitate commerce?

Mr. JEWELL. No; I do not know any more important point; no place that occurs to me at this particular moment.

The CHAIRMAN. Would you say that in a military sense the possession of Gibralter would be any more controlling or any more important to British interests in the Mediterranean than the possession of Hawaii would be to American interests in the Pacific Ocean?

Mr. JEWELL. I consider that Gibralter is an extremely important point for the English to hold, because it is one of a chain of forts which they hold and which connects the Suez Canal with the Atlantic Ocean, and perhaps it would be of greater importance to England to retain possession of Gibralter than that the United States should have possession of the Sandwich Islands.

Mr. CHAIRMAN. Because Gibralter is one of a chain of fortifications held by England?

Mr. JEWELL. Yes; fortified posts.

The CHAIRMAN. Which protect England's access to and outlet from the Suez Canal?

Mr. JEWELL. Yes.

The CHAIRMAN. Suppose that there were a canal under American protection through Nicaraugua of equal capacity with, or greater capacity than, the Suez Canal, as a fortified port or place in a chain connecting Hawaii in the center of the Pacific Ocean with our possessions in the United States, the mouth of the Mississippi River, and the various bays and harbors that we have here and the fortifications at Key West, would you then consider that Gibralter is more important to the British people than the possession of Hawaii would be to the American people?

Mr. JEWELL. It is hard to make a comparison of that kind; but if the Nicaragua Canal should be put through I consider that the possession of the Sandwich Islands by the United States would be absolutely essential.

The CHAIRMAN. And for the reasons that we have been just adverting to?

Mr. JEWELL. Yes. I think it would be absolutely essential that the United States should take possession of those islands if the Nicaragua Canal is to be built.

The CHAIRMAN. You consider that the two propositions, the building of the Nicaragua Canal and occupation of Hawaii, either by including it in our territory or getting advantages there to enable us to have a naval station at that place, would be of the greatest importance?

Mr. JEWELL. Oh, yes. I say it would be absolutely essential to retain that control of the canal which we are bound to have.

The CHAIRMAN. Have you been to Honolulu more than once?

Mr. JEWELL. No; only once.

The CHAIRMAN. Did you make any examination of Pearl Harbor?

Mr. JEWELL. No; I did not.

The CHAIRMAN. I will ask you in regard to the Bay of Honolulu, and get you, first, to describe its area and in what way it is protected from the inflow of the waters of the Pacific Ocean.

Mr. JEWELL. It would be impossible for me to give any idea of the area from memory, because I do not recollect. I only know that the harbor is inclosed within a coral reef, with the exception of the entrance to the harbor of Honolulu. It is entirely closed by the coral reef.

The CHAIRMAN. How does it compare in area, according to your present recollection, with the harbor at Boston?

Mr. JEWELL. I should say it is more contracted than the harbor of Boston.

The CHAIRMAN. Is it more contracted than the harbor of New York?

Mr. JEWELL. Oh, yes.

The CHAIRMAN. You consider New York Harbor, up East River and North River, out to sea?

Mr. JEWELL. Yes. My impression is that Honolulu is not an extensive harbor; perhaps it is a mile and a half long and a few hundred yards wide. It has been twenty years since I was there.

The CHAIRMAN. On the land side it is surrounded, I believe, by elevations of land?

Mr. JEWELL. Oh, yes.

The CHAIRMAN. Considerable elevations?

Mr. JEWELL. Quite high mountains along about the interior of the island.

The CHAIRMAN. Down about the coast?

Mr. JEWELL. Within a short distance of the city.

The CHAIRMAN. Where heavy guns could be mounted to protect the harbor?

Mr. JEWELL. Yes; Honolulu could be very easily fortified.

The CHAIRMAN. Take the best class of guns that we now have and mount them upon the best elevations, how far out would you say would be the radius of the defense that those guns would afford?

Mr. JEWELL. You know the range of modern guns is very much greater than that at which any action would probably be fought. I am quite sure that batteries could be arranged to keep any foreign fleet from approaching Honolulu within 5 miles. But I have no doubt if guns were numerous enough they could keep them away still further.

The CHAIRMAN. That would be really a sufficient protection against the attack of a foreign fleet?

Mr. JEWELL. I think so.

The CHAIRMAN. The fleet might destroy the town, but could not take possession lying out there?

Mr. JEWELL. They could not take possession; I am not entirely certain that they could destroy the town, except by chance shots.

The CHAIRMAN. Such fortifications as occur to you as being possible on those elevations around Honolulu Bay and around the city of Honolulu would be sufficient to assist in protecting a fleet that might be in the harbor?

Mr. JEWELL. Oh, yes; a fleet could be protected in the harbor.

The CHAIRMAN. There is no land barrier between the city of Honolulu and the sea, the ocean?

Mr. JEWELL. No, nothing except this coral reef, which is uncovered at low water.

The CHAIRMAN. Barely covered?

Mr. JEWELL. Yes. You could walk over it some distance at low water.

The CHAIRMAN. Water batteries could be established on those coral reefs for the protection of the harbor?

Mr. JEWELL. Well, I do not know about that. I should mistrust those coral reefs as a foundation, but they might be sufficiently strong.

The CHAIRMAN. If sufficiently good as a foundation, they are sufficiently high out of the water to form good water batteries?

Mr. JEWELL. Yes.

The CHAIRMAN. There is nothing to impede the fighting ship inside the harbor or those steamships outside the harbor that you would maneuver with?

Mr. JEWELL. Nothing, except the contracted space within the harbor. There would be no space within the harbor for maneuvering vessels. But vessels could lie in the harbor, and by means of lines could be fought in almost any direction.

The CHAIRMAN. So that a vessel lying in Honolulu harbor would not be absolutely without power against ships outside?

Mr. JEWELL. No; it is entirely open.

The CHAIRMAN. It is entirely open?

Mr. JEWELL. Oh, yes.

Senator FRYE. Mr. Chairman, for the convenience of the committee, I desire to put in the record certain naval regulations, and certain orders which I find scattered through these Executive documents in a very hopeless confusion; so much so, that it is almost impossible to find anything in there. I give in first an extract from every naval officer's commission which has been signed by the President. It is in these words:

"And he is to observe and follow such orders and directions, from time to time, as he shall receive from me, or the future *President* of the United States of America, or his superior officer set over him, according to the rules and discipline of the *Navy*."

I have a copy of the rules, and it is very difficult to get hold of the book. These are the rules and regulations of 1893. I read from the title page:

"The orders, regulations, and instructions issued by the Secretary of the Navy, prior to July 14, 1862, as he may since have adopted, with the approval of the President, shall be recognized as the regulations of the Navy, subject to alterations adopted in the same manner. Section 1547, Revised Statutes."

On the opposite page is the following:

"NAVY DEPARTMENT,
"*Washington, D. C., February 25, 1893.*

"In accordance with the provisions of section 1547 of the Revised Statutes of the United States, the following regulations are established, with the approval of the President, for the government of all persons attached to the naval service. All regulations, orders, and circulars inconsistent therewith are hereby revoked.

"B. F. TRACY,
"*Secretary of the Navy.*"

On page 9 is the following:

"ARTICLE 18.

"1. Officers of the line only can exercise military command.

"2. Only officers on duty pay can exercise, or are subject to command, except as provided for in article 211.

"3. On all occasions where two or more ships' expeditions or detachments of officers or men meet, the command of the whole devolves upon the senior line officer.

"4. At all times and places not specifically provided for in these Regulations, where the exercise of military authority for the purpose of cooperation or otherwise is necessary, of which the responsible officer must be the judge, the senior line officer on the spot shall assume command and direct the movements and efforts of all persons in the Navy present.

"5. The senior line officer shall be held accountable for the exercise of his authority, and must not divert any officer from a duty confided to him by a common superior, or deprive him of his command or duty without good and sufficient reason."

On page 13 I read article 31:

"Officers of the Navy shall perform such duty as may be assigned to them by the Navy Department."

On page 15, article 48:

"Officers can not assume command of Army forces on shore, nor can any officer of the Army assume command of any ship of the Navy or of its officers or men unless by special authority for a particular service; but when officers are on duty with the Army they shall be entitled to the precedence of the rank in the Army to which their own corresponds, except command as aforesaid, and this precedence will regulate their right to quarters."

On page 20, section 5 of Article 54 is as follows:

"The officer in command of a ship of war is not authorized to delegate his power, except for the carrying out of the details of the general duties to be performed by his authority. The command is his, and he can neither delegate the duties of it to another, nor avoid its burdens, nor escape its responsibilities; and his 'aid or executive,' in the exercise of the power given to him for 'executing the orders of the commanding officer,' must keep himself constantly informed of the commander's opinions and wishes thereon; and whenever and as soon as he may be informed or is in doubt as to such opinion or wishes, he must remedy such defect by prompt and personal application, to the end that the authority of the captain may be used only to carry out his own views; and that he may not be, by its unwarranted exercise, in any measure relieved from his official responsibilities, which can neither be assumed by nor fall upon any other officer."

Page 66, Article 280, is in these words:

"1. He shall preserve, so far as possible, the most cordial relations with the diplomatic and consular representatives of the United States in foreign countries and extend to them the honors, salutes, and other official courtesies to which they are entitled by these regulations.

"2. He shall carefully and duly consider any request for service or other communication from any such representative.

"3. Although due weight should be given to the opinions and advice of such representatives, a commanding officer is solely and entirely

responsible to his own immediate superior for all official acts in the administration of his command."

On page 67, article 284:

"On occasions where injury to the United States or to citizens thereof is committed or threatened, in violation of the principles of international law or treaty rights, he shall consult with the diplomatic representative or consul of the United States, and take such steps as the gravity of the case demands, reporting immediately to the Secretary of the Navy all the facts. The responsibility for any action taken by a naval force, however, rests wholly upon the commanding officer thereof."

On same page, article 285:

"The use of force against a foreign and friendly state, or against any one within the territories thereof, is illegal. The right of self-preservation, however, is a right which belongs to states as well as to individuals, and in the case of states it includes the protection of the state, its honor, and its possessions, and the lives and property of its citizens against arbitrary violence, actual or impending, whereby the state or its citizens may suffer irreparable injury. The conditions calling for the application of the right of self-preservation can not be defined beforehand, but must be left to the sound judgment of responsible officers, who are to perform their duties in this respect with all possible care and forbearance. In no case shall force be exercised in time of peace otherwise than as an application of the right of self-preservation as above defined. It can never be exercised with a view to inflicting punishment for acts already committed. It must be used only as a last resort, and then only to the extent which is absolutely necessary to accomplish the end required."

Now, I wish to give in the Consular Regulations of 1888:

"Consular regulations prescribed for the use of the consular service of the United States."

Page following title page:

"EXECUTIVE MANSION,
"*Washington, D. C., February 3, 1888.*

"In accordance with the provisions of law, the following revised regulations and instructions * * * are hereby prescribed for the information and government of the consular officers of the United States.

"GROVER CLEVELAND."

"DEPARTMENT OF STATE,
"*Washington, February 3, 1888.*

"I transmit herewith for your information and government the accompanying revised regulations and instructions which have been prescribed by the President. They are intended to supersede those which have been heretofore issued by this Department, and are to be carefully observed in all respects.

"I am, sir, your obedient servant,

"T. F. BAYARD.

"To the several consular officers of the United States."

"Article 7, clause 96, page 33. They are also reminded that the Navy is an independent branch of the service, not subject to the orders of this Department, and that its officers have fixed duties prescribed for them; they will therefore be careful to ask for the presence of a naval force at their port only when public exigency absolutely requires it,

and will then give the officers in command in full the reasons for the request, and leave with them the responsibility for action."

Now, I wish to give in an instruction from Secretary Gresham to Mr. Blount, taken from Executive Document 48, page 2:

"DEPARTMENT OF STATE,
"*Washington, March 11, 1893.*

"To enable you to fulfill this charge your authority in all matters touching the relations to this Government to the existing or other government of the islands and the protection of our citizens therein is paramount and in you alone, acting in cooperation with the commander of the naval forces is vested full discretion and power to determine when such forces should be landed or withdrawn."

Then, in Executive Document No. 48, page 455:

"MARCH 11, 1893.

"SIR: This letter will be handed you by the Hon. James H. Blount, Special Commissioner by the President of the United States to the Government of the Hawaiian Islands. You will consult freely with Mr. Blount and will receive any instructions you may receive from him regarding the course to be pursued at said islands by the force under your command. You will also afford Mr. Blount all such facilities as he may desire for the use of your cipher code in communicating by telegraph with this Government.

"Respectfully,

"HILARY A. HERBERT,
"*Secretary of the Navy.*

"Rear-Admiral J. S. SKERRETT,
"*Commander in Chief U. S. Naval Forces, etc.*"

Then, Document 47, page 6:

"HONOLULU, *March 31, 1893.*

"SIR: You are directed to haul down the United States ensign from the Government building, and to embark the troops now on shore to the ship to which they belong. This will be executed at 11 o'clock on the 1st day of April.

"I am, sir, your obedient servant,

"JAMES H. BLOUNT,
"*Special Commissioner of the United States.*

"Rear-Admiral J. S. SKERRETT,
"*Commanding Pacific Squadron.*"

Now, on page 487 of Executive Document 48:

"UNITED STATES LEGATION,
"*Honolulu, Hawaiian Islands, January 16, 1893.*

"SIR: In view of the existing critical circumstances in Honolulu, indicating an inadequate legal force, I request you to land marines and sailors from the ship under your command, for the protection of the United States legation and the United States consulate, and to secure the safety of American life and property.

"Yours, truly,

"JOHN L. STEVENS,
"*Envoy Extraordinary, etc., of the United States.*

"To Capt. C. C. WILTSE."

Then, page 487 of Executive Document 48:

"SIR: You will take command of the battalion and land in Honolulu for the purpose of protecting our legation, consulate, and the lives and property of American citizens, and to assist in preserving public order. Great prudence must be exercised by both officers and men, and no action taken that is not fully warranted by the condition of affairs, and by the conduct of those who may be inimical to the treaty rights of American citizens. You will inform me at the earliest practicable moment of any changes in the situation.

"Very respectfully,

"G. C. WILTSE,

"*Captain U. S. Navy, commanding U. S. S. Boston.*

"Lieut.-Commander W. T. SWINBURNE,

"*Executive officer, U. S. S. Boston.*"

The affidavits I have are as follows:

STATEMENT OF A. F. JUDD, CHIEF JUSTICE OF THE SUPREME COURT OF THE HAWAIIAN ISLANDS.

A short sketch of my life and antecedents may, perhaps, give more credence to what I may say. I was born in Honolulu on the 7th of January, 1838. My father, Dr. Gerrit P. Judd, came with my mother to these islands in 1828. My father was physician to the American mission that had been established here eight years before his arrival here. His profession necessarily brought him into close and confidential relations with the Regent, Kaahumanu, the young King, Kamehameha III, and the high chiefs, who were then a large and influential class. At their earnest request, my father left the mission in 1843 and took office under Kamehameha III, first as interpreter and as a member of the treasury board, and later as minister, which office he held till 1853. We lived for three years on the palace grounds, and for many years I, with the rest of my brothers and sisters, were in intimate companionship in school and out of it with the young chiefs.

I attended the first royal school for a while in which were the sons of Kinau, who became Kamehamehas IV and V, their sister, Victoria Kamamalu, who was Kuhina Nui under her brother, Kamehama IV. At the same school were Queen Emma, Mrs. Bernice Bishop, David Kalakaua, his brother, James Keliokalani, and Liliuokalani, whose name at that time was Lydia Kamakaeha Paki. Several of these went later with me to the second royal school, under Dr. Beckwith. I learned to speak Hawaiian, and have lived continuously in these islands to the present time, with the exception of four years spent in the United States at Yale College, where I graduated in 1862, and at Harvard, where I studied law, returning to these islands in 1864. I have also made several visits to the United States and one to Europe.

My father's record in doing as much as anyone towards the creation of the Hawaiian Government and preserving its independence against the efforts of Great Britain and France are matters of public history. From my association with the Hawaiian people, my frequent visits to all parts of the group, I consider myself well acquainted with the Hawaiians, and admire and love such good qualities as they do possess. I have not spared myself in efforts to enlighten them, having carried on for years temperance and religious work among them. I

was secretary to the constitutional convention of 1864, and witnessed the debates of that body which led to Kamehameha V abrogating the liberal constitution of 1852 and promulgating that of 1864. In 1868 I was elected a member of the Legislature without visiting the district that returned me, and I was again elected in 1872, this time from Honolulu. Kamehameha V having died after the Legislature closed, at a special session I voted for Lunalilo in 1873 (January 7), and was appointed his attorney-general, which office I held until Lunalilo died.

The election of a King again coming to the Legislature in February, 1874, I voted for Kalakaua as the best available candidate. He was unpopular with the natives, and if the members of Lunalilo's cabinet, Messrs. C. R. Bishop, E. O. Hall, R. Sterling, and myself, had thrown our influence, with other prominent whites, in favor of Queen Emma, who was the people's favorite, she would have been chosen in spite of Kalakaua's efforts and bribery. But we felt that the influences surrounding Queen Emma were such that English sentiment and ideas would control. We were threatened with a state church, and feared that all the court atmosphere would be adverse to the cultivation of closer commercial and political relations with the United States, which, owing to our geographical position and growing commerce and the character of our white population, were essential to our progress and prosperity. Kalakaua was elected, and a riot occurred, in which the court-house where the election was held was sacked, native members of the Legislature were attacked and beaten, and the town was at the mercy of the mob.

Owing to the timely assistance of troops from the two United States ships then in port and also from the British vessel the riot was quelled. Kalakaua took the oath of office, stating at the time (which I interpreted) that he had intended to promulgate a new constitution, but the riot had prevented it. The Government went on. I was appointed second associate justice of the supreme court February 18, 1874, promoted to first associate 1, 1877, and on the return of Kalakaua from his tour of the world was by him appointed chief justice November 5, 1881, which office I now hold. Having my chambers in the Government building I have been familiar with the political changes that have taken place during the past twenty years, have known all the twenty-six cabinets during Kalakau's reign, and have been kept informed of all important matters of state.

Our law reports and our published opinions will show nothing that would indicate on the part of the supreme court any aversion to a monarchical form of government for these islands. We maintained the personal veto of the sovereign as a constitutional right against much public pressure and under like circumstances of pressure declared in favor of the Queen Liliuokalani's right to appoint her own cabinet on her accession. It was my wish and hope that the autonomy of this archipelago should be preserved for many years to come. That we would lose it eventually was a belief shared by all—English, Americans and Hawaiians—owing to the fading of the native race and the want of material to make kings and queens of.

The justices of the Supreme Court were kept in ignorance of the league which resulted in obtaining from Kalakaua the constitution o 1887. Just before its promulgation Justice Preston and myself were invited to assist in its revision, which we consented to do under a written protest that we did not approve of the method of its promulgation as being unconstitutional. I think that both the *coup d'état* of Kamehameha V and the revolution of 1887, though both were accomplished

without bloodshed, lessened the respect of the Hawaiian for the constitution and encouraged the attempt of Robt. Wilcox, in June, 1889, to rebellion and the promulgation of a constitution that would restore the lost prerogatives of the King.

I tried Wilcox for conspiracy to commit treason and had to discharge one Hawaiian jury for violent conduct while in the jury box. The second jury acquitted him in spite of his own testimony admitting all the acts which constituted conspiracy. The testimony of that trial showed that Kalakaua was a party to the conspiracy, and only because he was afraid that it would not be successful he failed to go to the palace and promulgate the constitution. The native soldiers were in sympathy with Wilcox's plans, as also many of the native police, and Wilcox also relied upon V. V. Ashford's promise that the Honolulu rifles which he commanded would not help against him.

Mr. Ashford was very lukewarm in his efforts to dispossess the rebels of the Palace grounds and the Government building. I was a personal hearer of the altercations between him and his brother, C. W. Ashford, who was then Attorney-General. The Attorney General would urge one plan and another, always to be rebuked by Col. Ashford with the statement that it could not be done, or that he, the Attorney-General, knew nothing of such matters. It was mainly owing to the volunteer citizens soldiery who rallied to the support of the Cabinet that the rebellion was put down by force in which seven Hawaiians were killed and others wounded. Liliuokalani disavowed to me her knowledge or connivance with Wilcox's plans, but the fact that the armed party under Wilcox assembled at her own house in the suburbs and started from there to the Palace, gives credence to the belief that she knew of it.

At Minister Merrill's request marines from the U. S. S. *Adams* were landed and stayed all the afternoon and night at the legation, which was in one of the cottages of the Hawaiian Hotel, and close to Col. Ashford's headquarters. This went far to quiet apprehension of mob violence that night. The U. S. S. *Boston* troops were accustomed during their stay here to land weekly for drill and parade. We have for many years been accustomed to this spectacle from other ships of the United States Navy and occasionally from ships of other nationalities. As I have said, twice before the 16th of January, 1893, when the *Boston* troops landed, have we seen them land to protect American life and property. I knew Capt. Wiltse intimately. He often came to my house and often assured me that his instructions were to remain passive and only to use his forces for the protection of American life and property.

I do not deny that both Minister Stevens and Capt. Wiltse were not in sympathy with the disgraceful plans of those in the Legislature and out of it who would force a national lottery upon us that the history of Louisiana proved to us would, in time, have captured the entire Government, and that they both wished for purity in government in our community and for what all good Christian Americans would desire for this country and for their own. Such gentlemen could not from their nature sympathize with what was corrupting or vile. But I affirm that not in all my intercourse with these gentlemen have I heard any expressions from either of them that would lead me to hope or expect that they would use the forces of the United States in any violent act against the Queen's forces or in aid of any insurgents. The constant presence of ships of the United States Navy for years and years past has assured us that they would protect American life and property, and this assurance was the same whether the troops were landed or

kept on board. Let others who were of the committee of safety and leaders of the movement of January 17 speak for themselves of their actions not known to me. My narrative is what came to my personal knowledge.

During the first part of the Queen's reign she was very friendly with the moral and Christian portion of our community, attending social and religious gatherings of the ladies in their various societies and contributing to their benevolent work. I felt that she was sincere in her intentions to rule wisely and well and to leave government to her cabinet, and I did all I could to make my friends trust her. On one occasion, owing to the public scandal created by her having around her in the palace women of bad repute, and both men and women of doubtful reputation invited to the palace balls, I had had a long conversation as to the necessity of purifying the atmosphere about her. She expressed sympathy with my views. But I knew from others that she was dissatisfied with the constitution of 1887; that she thought Kalakaua had yielded too tamely to the pressure and that she would not.

I knew from the native newspapers that the politicians were persuading the Hawaiians that the property qualifications of a voter for nobles being too high for the mass of them, practically deprived them of rights which they thought they ought to have and gave them to the white man. I was well aware that when the common native has his race prejudices excited on the stump and in his newspapers he is apt to think that all his ills and all his poverty are owing to the supremacy of the white race in this country. But Liliuokalani had been educated in Christian schools, had had advantages of association with the best people of our communities and with the cultured of all nations here as visitors, and I did not think that all this would go for naught when the time, as she thought, had come for her to assert herself as Queen of the native race alone. I had been frequently told that she disliked me and my influence, but I have never received any personal indication of it.

It was not until the Legislature was well along that her friends, I among them, began to fear that she was insincere. It could not be understood why she kept the appropriation bill so long after it passed the Legislature, or why she postponed the prorogation of the Legislature beyond the time set for it by the Legislature. The session had been long and fatiguing. The lottery bill had been the subject of most intense feeling in the community and of discussion in the newspapers of this city, and its adherents were shamed out of its advocacy. It was considered a dead issue. The act to reorganize the judiciary department was approved by the Queen only on condition that the cabinet propose an amendment that the district magistrates should be commissioned by the sovereign on the nomination of the cabinet in place of the law as it had stood for many years, whereby the chief justice, with the approval of the other justices, should commission them on the nomination of the cabinet. The cabinet yielded for the sake of peace.

This was to my mind the first open indication that she was desirous to regain the power that Kalakaua had either surrendered or which had been taken from him by statute. The appointment of 26 magistrates of her adherents all over the islands would give her great power. The next step she took was to refuse to commission Mr. Frear as circuit judge under the new act. Mr. Frear was in all respects the best available man for the place. I took the liberty of advising her to

appoint him and used every argument that the facts justified. She wanted to appoint Mr. Antone Rosa. I told her of facts that unfitted him for the place, but they had no effect, and it was not until her adherents, among them Paul Neumann, told her that if she had promised her cabinet to appoint Mr. Frear that she must do so, that she signed the commission.

The paper-money bill having been defeated, and the lottery bill being considered dead, and a ministry possessing the confidence of the men of character, wealth, and intelligence of this country—G. N. Wilcox, M. P. Robinson, P. C. Jones, and Cecil Brown—having been appointed, the appropriation bill having been signed (usually the last act of the Legislature), the community were generally relieved and confidence was being restored, when events occurred which explained the Queen's delay in the matter of the appropriation bill and the postponing of the prorogation. Six among the best members of the Legislature had left town, some for the other islands and some for the United States, and one to England. The justices of the supreme court had shortly before this in a reply to the Legislature expounded the constitution to mean that to oust a ministry on a vote of want of confidence it would require the concurrence of a majority of all the members of the Legislature, exclusive of the cabinet; that is, 25 votes were essential.

On the 4th of January, 1893, Mr. J. E. Bush, then an adherent of the Queen, though in the early part of the session he was violently opposed to her, introduced a vote of want of confidence in the Wilcox-Jones cabinet. It failed by a vote of 19 to 22, but rumors were thick that it would be tried again. Suddenly, on the 10th of January, the lottery bill was called up and after but little discussion it passed its second reading by a vote of 20 to 17. Only one white man voted for it. It was brought up again on the next day and passed its third reading by a vote of 23 to 20. This was considered as a test vote adverse to the cabinet, and the opposition lacked only two votes to oust the cabinet, twenty-five being the requisite number. On the 12th of January the Queen gave a lunch to the opposition members at noon. The members came into the House looking serious and excited. Two natives who had hitherto voted in favor of the cabinet came in from lunch with yellow wreaths on, which the Queen had given them. I found out that she had begged them to vote the ministry out, appealing to their loyalty to her and to their native land.

Mr. C. O. Berger, a noble (German), had promised that he would not go to the Legislature again, but at noon he was promised that his father-in-law, Judge H. A. Widemann, should form the new cabinet, and he went to the House, and, with W. H. Cornwell (who did not vote for the lottery bill owing to his mother's persuasions, who came to the Legislature and labored with him), the twenty-five votes were secured. The promise to Mr. Berger, was made by Mr. Samuel Parker, who went off as if to the palace from Mr. Berger's office and returned as if he had secured the Queen's consent. The resolution of "want of confidence" was introduced by J. N. Kapahu, member from Kau Hawaii. It expressed no reasons and was put to vote and carried without discussion.

When the lottery bill and the vote of want of confidence were passed the lobbies were full of natives, half-whites, and low foreigners, who gave vent to their feelings of joy by shouts, hurrahs, tossing up their hats, shaking hands, and all rushed out all jubilant as the House adjourned. The feeling all over town was intense and despair was seen reflected on many faces, but as yet all that was done was within the law. Mr. Berger and others tried to get members to coalesce and repair the mis-

chief, but it was too late. A quorum was secured on Friday p. m., the 13th January, and the new cabinet came in with their commissions, Parker, Colburn, Cornwell, and Peterson. Mr. Parker had that morning told Mr. Widemann that he could go into the cabinet with himself (Parker), Peterson, and Colburn. Mr. Widemann told me that he could not go into the cabinet with such a man as Colburn, and declined, and so the office of minister of finance was given to Cornwell.

On Saturday morning the cabinet announced that the Queen had signed the lottery and opium bills, and the Queen at 12 o'clock prorogued the Legislature. I think the Queen approved the opium bill and suppressed the Chinese registration act to please the Chinese, from which class she expected contributions of money, and she approved the lottery bill to please the natives and to get favor with the class of whites who opposed the "Missionaries," besides wishes for the revenue it would yield. Mr. John Phillips, one of the promoters of the lottery bill, said to a friend of mine, when every one was debating whether the Queen would sign it, "She will sign it; there is too much in it for her." That Saturday morning it leaked out to me that Bill White, the member from Lahaina, had said that after the prorogation the natives were all going to the palace and the Queen would proclaim a new constitution.

I went down town and mentioned this rumor to several persons, but only a few believed it. While near Mr. Hartwell's law office I saw Mr. Colburn (the minister) drive up and go into Mr. Hartwell's office, and thought it was a very strange proceeding, as he seemed excited and in a great hurry. Returning to the Government building I met Peterson, who looked very much agitated, and he said he did not expect to remain in office over a day or so. A large crowd of natives was collecting in the Government building premises and there was a general air of expectation. The ceremony of prorogation went off as usual and at the close the chamberlain invited us over to the palace. This was not unusual. I urged my associate, Justice Dole, to go to the palace with Justice Bickerton and myself, telling him my fears that the Queen was going to proclaim a new constitution. Jude Dole had another engagement and declined to go. I then noticed from my balcony that the Hui Kalaiaina, a political association, were marching out of the yard to the palace. They were all dressed in evening dress, with tall hats, banners, and badges, and marched two and two. In the front rank was John Akina carrying a large, flat package in front of his breast, suspended by ribbons about his shoulders. This was the new constitution.

When I reached the palace the Hui Kalaiaina were already in the throne room in regular lines, constitution in hand, and their president, Alapai, had an address to deliver which he had open in his hand. In their rear were members of the Legislature and the corridors were crowded with natives. We, i. e., the diplomatic corps, justices, Governor Cleghorn, and the young princess, President Walker and staff officers, were stationed in our usual positions for a state ceremony. But the Queen and cabinet did not come. They were closeted in the blue room. We waited and waited. I asked, in turn, Cleghorn, the princess, President Walker, the diplomatic corps, the staff officers, what the delay meant. No one knew. I told them my suspicions. One by one these persons left their positions, some went home, some went to the dining room. We waited.

Little by little we ascertained that the Queen was urging the cabinet to approve the new constitution. Wilson told me in great emotion

that he had been fighting the battle alone all the morning and that the Queen was determined to proclaim a new constitution. He said the constitution was her own compilation. The members of the Hui Kalaiaina said that the constitution came from the Queen to them. Parker told me later that he staid by the Queen, for he was afraid if left alone she would sign the constitution, take it out to the people, proclaim it from the palace balcony, and say that her cabinet and judges would not approve of it, and tell the people to look out for them. Every one knows how quickly Colburn and Peterson, when they could escape from the palace, called for help from Thurston and others, and how afraid Colburn was to go back to the palace. I sent messages to her twice to be excused from further attendance, but received answers to wait a little.

The troops, 100 in number, with ball cartridges, were kept all day in line in front of the palace. Finally, at about 4 p. m., the cabinet came in. Parker, in tears, told me the Queen had agreed to postpone the promulgation. Then the Queen came in angry, defiant, and yet under perfect control. Her speech I wrote down that evening and it was published. I asked a good many who heard it if my account was correct, and they said it was. She did not withdraw the constitution, she merely postponed its promulgation on account of the obstacles she had met with, and told the people to go to their homes and wait for it. This was understood by the natives to mean that the ministry had prevented it, for as soon as she had left the throne room, J. K. Kaunamano (member from Hamakua) turned to the people behind him (the room was full of natives) and said in a loud, excited tone, "What shall we do to these men who thwart our desires?" He was quieted by myself and others, and I then left the palace. I feel convinced that the Queen formed the idea of having a new constitution which would make her supreme long before she became Queen. She hesitated before taking the oath to the constitution of 1887, and only because Cummins and others, including Gov. Dominis, her husband, told her she had better swear to it that she did.

The new constitution restored to the Queen the right to appoint the Nobles, which virtually placed the whole legislative power in her hands. The justices of the supreme court were to be appointed for six years, which virtually destroyed the independence of the judiciary. The ministry were to hold at her pleasure, which would make an autocrat of her. This new constitution would have made it impossible for white men to live here. With the Legislature bribed as we know the last one was, and changing their votes at the will of the Queen, and a hostile Queen and a subservient cabinet, there was no safety for us or our property. This justified the revolution.

The mass meeting held on Monday afternoon, the 16th, showed the leaders of the revolution that they would be supported. This made cowards of the cabinet. How could they attempt to use force when they knew their Queen was wrong? They were aware that something serious was planned. It was in the air. Parker knew of it from what he said to me. Being unaware that Wilson's force was insufficient to take and hold the Government buildings it seemed strange to me that he did not take possession during Sunday or Monday. It is very easy to say that the *Boston's* men overthrew the Queen. They did nothing more than has been done often before—to land with the intention of protecting American interests if imperiled. The Queen's adherents had neither the character nor the ability to resist. Men are not eager to risk their lives in a bad cause.

I resume the narration. I did not attend the mass meeting, but had

conversations all day with many persons of prominence, and some of those who are now royalists were fierce in their denunciations of the Queen. We all felt satisfied that in some way the Queen's policy would be defeated, but just in what way I could not tell. The people seemed determined and were satisfied to leave their cause in the hands of the committee. It was wise not to divulge openly their plan of overturning monarchy. The Queen's proclamation of Monday that she would not attempt a new constitution again and was impelled to the step by stress from her native subjects had no effect. This last statement was untrue. Even Mr. Widemann told me that it was a piece of folly, as it did not announce the resignation of the cabinet and indicate a new one in whom the country had confidence.

It is not true that the new constitution came from the people. It was the Queen's own idea and design, and her adherents had spread her sentiments among the people. It was admitted to me that she had shown this constitution to her ministers, Parker, Peterson, and Colburn, even before their appointment, and that they had promised to support her in it. They were only impelled to oppose her when she was attempting to carry out the scheme by fear of the consequences. Mr. J. O. Carter told Mr. P. C. Jones and myself on Saturday evening, the 14th of January, that both Cornwell and Colburn were in fear of their lives when they escaped from the palace, and were only induced to return and face the Queen again by strong persuasion on his part.

On Monday evening the *Boston* troops landed. Being then an outsider I knew nothing of the proceedings of the committee of safety. There were many rumors afloat as to what they would do, etc. All I really know is that the troops from the *Boston* marched up King street past the palace and Government building without pausing and camped in Mr. Atherton's premises, nearly half a mile from the Government building; and it was not until 9 p. m. that they found quarters in Arion Hall. This hall is a low wooden building in the rear of the Opera House and completely hidden by it, and commanded neither the palace, the Government building, nor the barracks. It was the only place convenient for men to sleep in that was available then. Its location was not to my mind significant of any intention on the part of the United States troops to defend any uprising against the Queen's Government.

The *Boston's* men did not move from their quarters all day Tuesday, the 17th, nor did they make any demonstrations of any kind. No one outside of the committee of safety knew definitely what the plan was. It was apparent, however, that something important was to happen. Mr. Parker told me at about noon on that Tuesday that at 4 p. m. they, the cabinet, would be all out. The people were gathering in knots in the business part of the town, especially on Fort street. I heard a shot, saw the smoke of the pistol, saw a wagon dash up street near the corner of Fort and King streets. The crowd rushed up there to hear what it was, and soon the report came that a man in charge of an ammunition wagon had shot a native policeman who was trying to stop him. Soon the crowd swelled to great numbers. Finding the excitement too intense for me to remain longer in suspense, I walked with Mr. Paty to the Government building and saw a small number of persons gathered about the front door and listening to Mr. H. E. Cooper reading a proclamation. It was then near 3 p. m., and the reading was about half concluded.

As I passed the lane between the opera house and the Government building where Arion Hall was, I did not look at nor did I think of the U. S. S. *Boston's* troops, though I knew they were there. There were

none in sight. As the proclamation finished I passed through the crowd, recognized my friends as in the movement, saw Col. Soper stripping a towel from a rifle, and at the foot of the staircase saw a man armed with a rifle. I passed upstairs and told my clerk to close up all the rooms and went down again to find arranged in a line from the staircase to the front door a body of armed men in ordinary clothes, and recruits were constantly coming in. I then walked back to the center of the town, which was full of people, all business being suspended and many of the shops shut.

Our fear was that the marshal would attempt to arrest Good, who had shot the policeman, and that this would precipitate a riot. I stood with the crowd and heard all the talk. Soon I learned that the ministers were in the station house with the marshal and a body of armed men with a gatling gun. It was said that when the Americans in the station house heard that the movement was for annexation to the United States they said they would not fight for the Queen on such an issue. We saw the Queen's cabinet go in pairs in carriages from the station house to the Government building and return. Things looked very critical. Some said that Minister Stevens had refused to recognize the Provisional Government, some said that he had or would; no one seemed to know.

I was then quite fatigued with the excitement and lack of food and went home to learn soon after that the force at the station house had surrendered and that Mr. Stevens had recognized the Provisional Government, and that martial law was declared, etc. No one in the crowd, whether sympathizers with the Queen or not, suggested that the United States troops would help obtaining possession by the Provisional Government of the station house. My two eldest sons had gone off to the headquarters with their rifles in the afternoon, one with my knowledge and the other without it. I was informed by President Dole within a day or two that if the station house had not surrendered the building would have been surrounded, and as the men showed themselves, sharpshooters posted on the high building commanding it would pick them off, and, without food or water, it would only be a matter of time that they surrendered.

The committee when they went to the Government building from W. O. Smith's office believed themselves to be in extreme peril. They were not armed. They were exposed to attack by the Queen's troops coming from the barracks through the palace premises, and every man of the committee could either have been arrested as they came up to the Government building or shot down after they arrived, so far as a spectator could see, for there was no force supporting the movement in sight. An exhibition of force on the part of the revolutionists before the proclamation was read might have caused their arrest to be attempted and this would have precipitated a conflict.

It was evident to me that no one of the Queen's party dared to strike a blow, for at that time the indignation against the Queen was intense and nearly universal among the white people. The natives stood in astonishment, not knowing what was going on and saying nothing. If Marshal Wilson and the cabinet ever intended to resist the movement, they had ample time to do so, as they had from Saturday afternoon to Monday evening before the troops from the *Boston* had landed to attempt to place guards at all the Government buildings, and even to attempt the arrest of the leaders of the intended movement whom, Wilson well knew. I am informed that Chas. J. McCarthy, a man of military experience, and lately the clerk of the Legislature, spent Mon-

day night in the Government building expecting a force of 50 or 100 armed men sent to him from the station-house, chafing because they did not come. By Tuesday night the Provisional Government had such accessions of men and arms that they were amply able to cope with any internal force.

I say, further, that my statement to Col. Blount was in response to explicit questions already apparently formulated in his mind and asked by him, and that I did not feel at liberty to volunteer information upon topics not covered by any of his questions and especially upon the matter of the alleged use by Mr. Stevens of United States troops to overthrow the Queen. My interview was on the 16th of May, 1893, and Col. Blount had evidently already settled that matter in his own mind. When I asked him to see some other gentlemen, naming them, he politely told me it was not necessary, but said he would ask Mr. P. C. Jones—but did not.

A. F. JUDD.

HONOLULU, *December 4, 1893.*

HONOLULU, *Oahu, ss.*

Subscribed and sworn to before me this 4th day of December, A. D. 1893.

[SEAL.] CHARLES F. PETERSON,
Notary Public.

AFFIDAVIT OF WILLIAM C. WILDER.

HONOLULU, *Oahu, ss:*

WILLIAM C. WILDER, being duly sworn, deposes and says: I have been a member of the Legislature of the Hawaiian Islands twice; I was elected in 1888 to fill the vacancy caused by my brother's, Samuel G. Wilder, death; and was elected representative for the first Honolulu district in 1892.

The conduct of the Queen became such toward the end of the session as to lead me to believe that she was determined to regain the powers taken away by the constitution of 1887; things went on from bad to worse until the 14th of January, 1893, when the Legislature was prorouged. When it was reported on that morning that the opium and lottery bills were signed and the Cornwell-Parker-Peterson cabinet came in, the tension of public feeling became most intense; every one felt that there was trouble in the air, but it was not on account of the ousting of the Wilcox reform cabinet. If matters had ended there, there would have been no uprising.

The reform members of the Legislature did not attend the prorogation, more as a protest against the unlawful acts of the Queen than anything else. When, however, after the prorogation, the Queen attempted to abrogate the constitution and proclaim a new one, which would have restored the ancient despotic rights of the throne, and would have trampled under foot all further semblance of liberty in Hawaii, the respectable, conservative, and property interests of the country, without any prior meeting or plans, simply arose in protest and to defend their rights. From what I saw, I have no hesitation in saying that the Queen's act in attempting to abrogate the constitution and promulgate a new one brought about the revolution.

The condition of the country was then very critical, politically and

financially. The latter, because that the solid moneyed people of the country had lost all confidence in the Government, which was not then able to meet demands against it, particularly withdrawals from the postal Savings bank, which were increasing until there was almost a panic; and politically, because the course of the Queen during the whole course of the legislative session had been such as to cause a total loss of confidence of nearly the whole of the white portion of the Legislature and of the business people of the community.

For ten days prior to noon of Saturday, January 14, the day that the Queen attempted her revolutionary act, the U. S. S. *Boston* with Minister Stevens on board had not been in port. There had been no revolutionary meetings or conferences; such a thing had not been thought of. There had not been any consultation with Minister Stevens with regard to the matter, though of course he must have seen what a perilous condition the country was getting into. There were several meetings at the office of W. O. Smith, that day after the attempted promulgation of the new constitution. I was not present at the first impromptu gathering; at that meeting I was named as one of the committee of safety. A telephonic message was sent to me to meet the committee that evening, and again we met at his office. The only business done besides talking over matters was the appointment of the committee to canvass and report what arms and ammunition and how many men could be secured.

Another committee was appointed, of which I was a member, to call upon Minister Resident John L. Stevens to discuss the situation. We went at once and talked over the whole matter, and we asked what his course would be should we take possession of the Government and declare a Provisional Government. Mr. Stevens replied that if we obtained possession of the Government building and the archives and established a Government, and became in fact the Government, he should of course recognize us. The matter of landing the troops from the *Boston* was not mentioned at that meeting.

The next meeting of the committee of safety was held at W. R. Castle's house, where we were in session a good part of the day. We reported the result of our conference and received the report of the committee on arms and ammunition; after further discussion of the situation, we finally decided to call a mass meeting, and thereby ascertain the exact sentiment of the community.

The next meeting of the committee was at Thurston's office, Monday morning, at 9 o'clock. During its session Marshal Wilson came and warned us not to hold a mass meeting. Some negotiations had been going on between members of the Queen's cabinet and Mr. Thurston, on behalf of the committee of safety, of which I knew nothing except the fact of such conference; but at that meeting I was appointed one of a committee to wait on the cabinet to receive their communication in answer to the matter discussed by them with Thurston. We went to the government building and met the cabinet; they stated that they declined any further negotiations. I asked Minister Parker what was the meaning of their calling a mass meeting at the same hour at which ours was called; he replied to keep people from going to your meeting. The mass meeting called by the committee was held at 2 o'clock, and, in spite of threats and opposition, was an immense and overwhelming affair, with but one sentiment, and that was to resist further aggression of the Queen.

At the request of many citizens, whose wives and families were helpless and in terror of an expected uprising of the mob, which would burn and destroy, a request was made and signed by all of the com-

mittee, addressed to Minister Stevens, that troops might be landed to protect houses and private property. It was not presented until after the mass meeting. About 4 o'clock in the afternoon another meeting of the committee of safety was held, at which it was decided to make the attempt to overthrow the monarchy and establish a Provisional Government. Troops were landed about 5 p. m. from the *Boston*, about 150, I should think. A squad was stationed at the residence of the United States Minister, another at the consulate, and the remainder were lodged, after considerable delay in procuring suitable quarters, at Arion Hall. It seemed to be the only available building that night, and it was also a very central location without regard to any of the government buildings.

I was not present at the next meeting of the committee, which was held that Monday evening at the house of Henry Waterhouse. Another meeting of the committee of safety was held Tuesday morning, at which arangements were completed. The executive and advisory councils were appointed and the proclamation was prepared; it was well known through the town that we would attempt to take the Government that day; the plan was for the two councils to meet the volunteer forces at 3 p. m. at the Government building. We were assured of a force of at least 150 well-armed men at that time. At half past 2 o'clock a wagon loaded with guns and ammunition, on its way through the town to the point of rendezvous, was attacked by some policemen, who attempted to capture it. Our guard shot and wounded one of the police officers, whereupon they desisted and the arms and ammunition were duly delivered. The incident caused great excitement, during which the two councils proceeded to the Government building, getting there about twenty minutes ahead of our forces. On our arrival we asked for the cabinet, and were informed that they had gone to the station house.

We then took possession in the name of the Provisional Government, and the proclamation was then read at the front door. During the reading our forces began to arrive, and in a few minutes we had not less than 130 well-armed and determined men, and after that they continued to arrive all the rest of the day. We had been at the building but a short time when a messenger, Deputy Marshal Mehrtens, arrived from the station house. He asked President Dole to call on the cabinet at the station house for a conference. President Dole informed the messenger that he was at the headquarters of the Government, and if they wished any conference they would have to come there, and assured their messenger of their safety in coming, and stated that a military escort would be furnished if needed. Shortly after two of the ministers, Parker and Corwell I think, came up, followed soon by the other two. On learning that they had not read the proclamation, it was read to them, and a demand was made for the immediate surrender of the station house. It was then getting towards dark, and Parker said he would like to have the matter settled before night to avoid collisions in the street. He said, "I see you have a good many armed men here." He asked if, before giving the answer, they be allowed to confer with the Queen. President Dole said it would be allowed, provided representatives from the new Government were present, and Mr. Damon was sent with them.

Soon after reading the proclamation, notice was sent to all the foreign and diplomatic and other representatives stating the facts and asking that the new Government be recognized. Not very long after this, messengers from Minister Stevens came to see whether the new Government was actually in possession of the Government building,

archives, etc. After satisfying themselves they retired. As nearly as I can recollect it must have been half past 5 o'clock when an answer from Minister Stevens arrived. The conference was then going on with the Queen, and his answer was not made known and published till after the surrender of the station-house, Queen, and barracks.

Some time between 4 and 5, I think, Capt. Wiltse, of the *Boston*, visited our headquarters, and he was asked if we would be recognized as the Government. He replied that he would not until we were in possession of the barracks and station-house and were actually the *de facto* Government.

During the whole of this affair, while it is true the United States forces were on shore, they in no way whatsoever assisted in our capture of the Government or in deposing the Queen. They did not even go out upon the streets; they were spectators merely, and it is very fortunate that their services were not required during the previous night. It seems to me very probable that had it not been for the restraining influence of their presence there might have been rioting. As it was, two incendiary fires were started.

A few days later I was sent to Washington as one of the annexation commissioners. I returned early in March, and I think Blount arrived on the 29th of that month. I called upon him and let him know that I was thoroughly acquainted with the incidents connected with the revolution, and would be very glad to furnish him with all the information within my power. Such information, however, has never been asked for, and I furnished no statement in any way to him.

Dated Honolulu, Hawaiian Islands, December 4, 1893.

W. C. WILDER.

Subscribed and sworn to before me this 4th day of December, A. D. 1893.

[SEAL.] CHARLES F. PETERSON,
Notary Public.

AFFIDAVIT OF J. H. SOPER.

J. H. SOPER, of Honolulu, Oahu, being duly sworn, deposes and says: That he is colonel commanding the national guard of Hawaii; that he has read the published extracts from the report of Col. Jas. H. Blount, late commissioner of the United States in Hawaii, and American minister resident; that certain statements in said report are incorrect and not founded on fact; that it is not true that affiant left the meeting of the citizen's committee held at Mr. Waterhouse's house in Honolulu, on the evening of January 16, 1893, either alone or in company with any other members of the committee until the meeting adjourned; that he did not visit Mr. Stevens, American minister, alone or in company with others at any time on that day; that he did not report to said committee that he had full assurance from said Stevens that he, the latter, would back up the movement, nor did he report any remarks as coming from said Stevens; that he did look for recognition by said Stevens in case a *de facto* government was successfully established, but he was well aware that no assistance would be given by the American minister in establishing such *de facto* government.

And he further says that he furnished to Lieut. Bertollette, of the U. S. S. *Boston*, a full statement of the arms and ammunition surrendered by the Queen's followers to the Provisional Government, and also a

statement of the arms and ammunition in the hands of the supporters of the Provisional Government prior to such surrender by the Queen; that the supporters of the Provisional Government had a larger number of effective rifles than had the Queen's followers; that at Mr. Blount's request he furnished to him a copy of said report on June 10, 1893; that Mr. Blount appears to have made no mention of the same in his findings; that the arms of the Provisional Government were in the hands of white men who knew how to use them, and about whose determination to use them there could be no question.

That affiant informed Mr. Blount, as was the fact, that the chief reason for his hesitating to accept the appointment of colonel was that he had no previous military training.

Dated Honolulu, Hawaiian Islands, December 4, A. D. 1893.

JNO. H. SOPER,
Colonel Commanding N. G. H.

Subscribed and sworn to before me this 4th day of December, A. D. 1893.

[SEAL.] CHARLES F. PETERSON,
Notary Public.

AFFIDAVIT OF ALBERT S. WILCOX.

HONOLULU, *Oahu, ss:*

My name is ALBERT S. WILCOX; was born on the island of Hawaii in the year 1844; my parents were American missionaries. I reside on th island of Kauai; served as a representative from Kauai in the Legislature during four sessions; was a member of the Legislature of 1892. On Saturday, the 14th of January last, I attended a meeting of the citizens of Honolulu at the law office of W. O. Smith. I distinctly remember John F. Colburn, then minister of the interior, being present at that meeting, and hearing him state to that meeting, in substance, that the Queen was intending to force a new constitution, and that she had already attempted to force the cabinet to agree to it; that they had escaped or got away from the palace and desired the assistance of the citizens to oppose her attempt.

A committee of safety of thirteen was appointed at that meeting, of which committee I was a member. That committee met that afternoon late and considered the situation. I attended a meeting of the same committee the next morning at the residence of W. R. Castle. The situation of public affairs was such that it was apparent to my mind, and I am confident that it was apparent to the mind of every member of the committee, that the Queen's Government could no longer preserve the public peace and had not the power to protect life and property, and that it was incumbent upon the citizens of Honolulu immediately to take measures to counteract her revolutionary conduct and to establish a government in the interest of law and order. At that meeting I resigned my position as a member of the committee, deeming that my interests on the island of Kauai required my personal attendance there, and that my place on that committee could be better filled by a permanent resident of Honolulu. At no time did I hear any proposition or suggestion to the effect that Minister Stevens or the United States forces would assist either in the overthrow of the monarchy or in the establishment of the Provisional Government.

I wish to state now that I served in the different sessions of the

Hawaiian Legislature for no other reason than because I wished to do all that I could to assist the Hawaiian race, for whom I have great personal regard and aloha, in preserving if possible, a national government. I had an earnest desire to sustain the Hawaiian national institution. As I went through those sessions I was slowly convinced against my will of the difficulties of maintaining a monarchy, but it was not until the last revolutionary act of the Queen that I became convinced that a Hawaiian monarchy was inconsistent with the preservation of peace and prosperity and the protection of property in the islands. Until then I had never been an advocate of annexation to the United States, but had been opposed to it and had done all in my power to make it unnecessary.

I observed the landing of the United States forces on Monday evening; it was not done in pursuance of any request that I made myself, but I understood then that they were landed for the purpose of protecting the property and lives of Americans, but in no respect for the purpose of assisting the committee of safety.

ALBERT S. WILCOX.

Subscribed and sworn to before me this 4th day of December, A. D. 1893.

[SEAL.] CHARLES F. PETERSON,
Notary Public.

AFFIDAVIT OF C. BOLTE.

C. BOLTE, of Honolulu, being duly sworn, deposes and says:

That he was born in Bremen, in Germany, and is 41 years of age. That he resided in Germany until 1878, when he came to Honolulu, where he has ever since resided.

That he is vice-president of the firm of M. S. Grinbaum & Company, a mercantile corporation, which has continuously existed as a firm and corporation, and has done business in Honolulu since 1866.

That he was interviewed by Mr. James H. Blount, American minister resident in June, 1893. That during this interview, on several occasions, he objected to the method employed by said Blount, and he remonstrated with him that he did not put his questions fairly. That said Blount asked his questions in a very leading form, and that on several occasions when affiant attempted to more fully express his meaning said Blount would change the subject and proceed to other matters.

That affiant, seeing that in his testimony the Queen, and the Government under the Queen, were being confounded, prepared a statement, a copy of which is as follows, and handed the same to said Blount in June last, and requested him to insert it in his report in the proper place; affiant at present being ignorant whether this was done or not.

"The answers which I have given to Mr. Blount's questions, 'When was for the first time anything said about deposing or dethroning the Queen' might lead to misunderstanding in reading this report. I desire, therefore, to hereby declare as follows: Words to the effect that the Queen must be deposed or dethroned were not uttered to my knowledge at any meeting of the committee of safety until Monday evening, January 16, 1893; but at the very first meeting of citizens at W. O. Smith's office on Saturday, January 14, at about 2 p. m., or even before this meeting had come to order, Paul Neumann informed the arriving people that the Queen was about to promulgate a new constitution. The answer then given him by Mr. W. C. Wilder, by me, and by

others, was: That is a very good thing and a splendid opportunity to get rid of the whole old rotten Government concern and now to get annexation to the United States. Paul Neumann thought that that might be going a little too far.

"At the second meeting at W. O. Smith's, between 3 and 4 p. m. on Saturday afternoon, January 14, 1893, when the committee of safety was appointed, sentiments of the same nature, that this is a splendid opportunity to get rid of the old régime, and strong demands for annexation, or any kind of stable government under the supervision of the United States, were expressed

"Therefore, even if the words that the Queen must be deposed or dethroned were not spoken, surely the sentiment that this must be done prevailed at or even before the very first meeting, on January 14, 1893.

"HONOLULU, *June* *1893.*

"C. BOLTE."

Dated Honolulu, Hawaiian Islands, *December 4, 1893.*

C. BOLTE.

Subscribed and sworn to before me this 4th day of December, A. D. 1893.

[SEAL.] CHARLES F. PETERSON,
Notary Public.

AFFIDAVIT OF GEORGE N. WILCOX.

HONOLULU, *Oahu, ss.*

My name is GEORGE N. WILCOX; I was born on the island of Hawaii in the year 1839 of American parents, who were missionaries in the Hawaiian Islands. My home since early childhood has been upon the island of Kauai. I was a representative from Kauai in the Legislature of 1880, and have since, as an elected Noble from the island of Kauai, served in four different sessions of the Legislature. In November of 1892 I was appointed by the Queen a member of her cabinet as minister of the interior, and remained such until by a majority vote of one of the Legislature the cabinet of which I was a member went out of office, on the 12th day of January last. On the 14th day of January last I was present in the afternoon at a meeting of the citizens of Honolulu in the law offices of W. O. Smith, where I learned from John F. Colburn, then the minister of the interior, that the Queen had attempted to force a new constitution, and that her ministers had refused to sign it and were ready to resist her attempt if the citizens would join in assisting them in their opposition.

The committee of safety was chosen at that meeting to take steps to preserve the public peace and secure the maintenance of law and order against the revolutionary acts of the sovereign. Up to that time I had, to the best of my ability, tried to sustain and support the Hawaiian monarchy, and especially in the interests of the Hawaiians to keep a clean and honest Government. Holding public office was something which was contrary to my personal wishes and interests; I had no personal objects to accomplish and no friends whose interests I sought to further, my sole desire being to help, as far as I could, to preserve the institutions of Hawaii; and it was not until that Saturday that I felt that the monarchy was no longer practicable, or able either to sustain itself or to be sustained by the intelligence of the country. No state-

ment was made to me, nor was I aware that either Minister Stevens or Capt. Wiltse would assist or did assist the citizens of Honolulu in establishing the Provisional Government, or in overthrowing the monarchy. It was evident to me that the overthrow of the monarchy was due to its own inherent rottenness.

G. N. WILCOX.

Subscribed and sworn to before me this 4th day of December, A. D. 1893.

[SEAL.] CHARLES F. PETERSON,
Notary Public.

AFFIDAVIT OF JOHN EMMELUTH.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

JOHN EMMELUTH, being duly sworn, deposes and says as follows, to-wit: I was born in Cincinnati, Ohio, and came to this country in February, 1878, and have been here since that time engaged in my business of tinsmith and plumber. I have accumulated some property and am married to a resident of the islands. I was nominated a member of the committee of public safety and was appointed one of the advisory council of the Provisional Government.

I know James H. Blount from seeing him once when I called with other members of the advisory council. The visit was never returned. He never said anything to me about the country, its resources, or history, or asked me any questions about the revolution. I tendered my statement through Mr. S. M. Damon, and understood that I would be notified when Mr. Blount was ready, but never heard anything from him.

Prior to the 14th of January I had become aware that a new constitution was to be promulgated and of the tenor of it by reason of a conversation between Arthur Peterson and John F. Colburn that I accidentally overheard in the office of John F. Colburn while I was waiting for his brother, the drayman. I stepped to the rear entrance of the warehouse, which is immediately adjoining his little private office, and while standing there I overheard Arthur Peterson remark to Colburn that the Queen had decided to promulgate a new constitution and that she would have no minister that would not agree to signing it and assisting in its promulgation, and that if he, Colburn, were agreeable to that that under the circumstances he could have the portfolio of minister of the interior.

This was on the Thursday previous to the announcement of that Colburn-Peterson cabinet. Colburn asked Peterson who the other members of the cabinet would be, and he told him Sam Parker and Billy Cornwell. Colburn agreed to go into that cabinet under those circumstances, and Peterson told him to go to the Queen with as little delay as possible and tell her that he was willing to go under that arrangement. I went back to my store, and standing in the front door within three minutes after Colburn came out in his brake, drove up along Nuuana to Merchant and up Merchant street, which leads to the palace. That was the last I saw of him that day. On the afternoon of the 14th, after the prorogation, it was noised about the town that the constitution would be promulgated. During the early part of the day I saw the members of the committee of the Hui Kalaaina that were to carry the constitution to the Queen to be signed.

Among the supposed members of that committee of the Hui Kalaaina

I recognized at least twelve of the Queen's personal retainers, and the rest of them were men so old and decrepit that they would not know what they were doing in a matter so important, and there was not a solitary member of that committee that could have stated any ten good reasons why he wanted a new constitution, and I felt in my mind at the time that it was a crime to permit anything of that kind to go on. I was very busy that day in my line of work, and about 2 o'clock, in going out to Waikiki, I saw the crowd gathering and heard that they were discussing the matter of promulgating the constitution, and on my way back I came in on horseback. Just as I got to the palace gate the Queen stepped out on the balcony upstairs and addressed the natives that were gathered in the grounds there.

They came together, and I rode on horseback about half way into the yard, sufficiently far in to hear what she had to say, and in Hawaiian she addressed them and told them that owing to the perfidy of her ministers she was unable to give what they and she so much cherished, but that she would guarantee them that within the following week they should have the constitution. I was not aware at that time that there had been any meeting of citizens. Not until I was on my way home I met Judge Hartwell and he told me of it. The following morning I was told that there was to be a meeting at the house of W. R. Castle, and that I was expected to be there. I went over and had a conversation with Mr. Thurston at the time, and spoke of the situation. At a meeting later in the day I attended, and from that time on became an active participant.

The committee of public safety had as a basis for organization the different companies of the old Honolulu Rifles. Taking them as a basis they worked up the membership by taking the old lists and finding as many as were in town of the old members and getting their consent to work for the cause. Company A is the only one I can speak of; every member of the old company under Capt. Ziegler that was at hand signified his willingness to stand by this movement. The membership, if I recollect Capt. Ziegler's conversation, was 63 at the time of disbanding, and of the 63, 60 reported for duty. There never was at any time any anticipation on the part of the committee as a whole or of myself or any of the other members, to my knowledge, that the forces of the *Boston* were to land for the purpose of assisting the committee.

After we had seized the Government building and while the proclamation was being read, Company A drew up in line on each side of the building. Members of Company B, if I recollect right, came up in front and a third company in the rear of building; in all, I should say, about 180 men arrived within the five minutes. Of Company A everyone had his arms, his Springfield rifle, and the other companies were armed with private weapons and such as they could gather together, but they were all armed, all of those 180 men. A little after the reading of the proclamation the committee retired into the office of the minister of the interior and there congregated around the large table. I don't remember in what order they came, but among the business transacted was the sending out of notices to the different representatives of the foreign powers of the establishment of a government *de facto*.

There was an order issued to close the saloons. I forget what time martial law was declared. I doubt if I could give the events in the succession in which they occurred. I remember the individual instances. I distinctly recollect young Pringle coming in there and taking observations. I remember Lieut. Lucien Young coming in there,

and late in the evening I remember Capt. Wiltse calling on us. During the interval I remember Deputy Marshal Mehrtens coming in—that was a very short time after the Government was organized—with a request that the Government should go down to the station house and meet the cabinet down there. They declined to do that, but sent a committee consisting of Sam Damon and C. Bolte to the station house. That committee afterwards returned with Sam Parker and Billy Cornwell.

Sam Parker and Billy Cornwell came in there and after a conversation they in company with Sam Damon, if my memory serves me right, went over to the palace to see the Queen. I am quite sure that Bolte didn't go with them on that errand. Sam Damon was the only one that went on that errand. Sam Damon returned after a time and it was then given out that the Queen had agreed to surrender under protest and that she would give instructions for the station house and the barracks to be given up to the Provisional Government. In the meantime we removed to the minister of finance's offices, and it was there that Sam Nowlein, in command of the Queen's military, late at night—it must have been 8 or 9 o'clock—reported to President Dole, and the President told him to keep his men together and all arms inside the barracks for the night; nothing should be disturbed, and he should simply carry on their routine duties within the inclosure for that night. Nowlein asked whether he would mount guard as usual in the palace inclosure, and he was told no.

The reason why I fail to recollect much of what transpired there was from early in the day, that is, very soon after our getting into the building, we agreed that all conversation should be conducted by Mr. Dole himself in order to prevent a confusion of ideas, and for that reason I did not store up things as rigidly as I might have done if I had a personal say in the matter. I was busy outside about the organization of our forces. I met a number of Company A, and as soon as Company A entered the building I went out and found the old stand-bys of 1887 and 1889 and had a conversation with them. They were all ready for doing any duty that was required of them, they were well armed and had ample ammunition.

I consider that the trend of things for twelve years back to my recollection has all been in the direction of the revolution, for the reasons of the corruptness of the Government; the debaucheries and social infamies that were being practiced constantly in and about the palace. I saw that those things could not go on in a community that claimed to be Christian, such a thing could only reach a certain state where public safety and the best interests of the nation would demand reform. From my knowledge of things and my observation of the workings of the monarchy I was thoroughly satisfied that it was only a matter of time when a different form of government would have to be established here, and very soon after my coming here I came to the conclusion that these Islands rightfully and justly belonged, on the point of both their dependence and proximity to the United States, I felt that they were a part and parcel of the American States, and I have been an annexationist for the last twelve years.

Insertion and corrections made by—

JOHN EMMELUTH.

Subscribed and sworn to before me this 5th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

AFFIDAVIT OF F. W. McCHESNEY.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

F. W. McCHESNEY, being duly sworn, deposes and says: I was born in Iowa, came to Honolulu in 1885, where I have since been engaged as a partner in the house of M. W. McChesney & Son in the wholesale grocery and feed business established in 1879, doing a large volume of business. I was a member of the committee of public safety and of the advisory council of the Provisional Government up to a few days prior to June 28th, 1893, on which day I went to the United States for a visit.

I saw James H. Blountl and at Honolulu, but never met him nor had any conversation with him.

I signed a roll with other citizens in the office of W. O. Smith on the afternoon of Saturday, January 14, 1893, pledging myself as a special police officer in support of the cabinet against the proposed aggression of the Queen, and was in the same office at the meeting of citizens when the committee of public safety was appointed. There was talk at the meeting of the committee at W. R. Castle's, on the next (Sunday) morning, of having resolutions abrogating the monarchy and pronouncing for annexation, offered at the mass meeting; but it was decided to keep within bounds, while matters were to be made perfectly plain. It was reported by Mr. Thurston that the Queen's cabinet had gone back on us, so we decided to proceed without them.

I never understood at any time that the United States troops would fight our battles; they might come ashore to protect life and property and all of those who wanted to go to them during the rumpus, but they were not going to do any fighting for us. I thought we could overturn the Government on short notice after getting our men and arms together and then after our new Government was formed they would recognize us and protect us if any armed force was needed.

The committee of safety had taken pains to investigate the force opposed to us and found that the Queen had only 80 men at the barracks and that Wilson had about 125 regulars with possibly 75 special police, among whom were only about 12 or 15 white men, and the forces surrendered showed these to be facts.

Had fighting actually been necessary we would have had 600 men armed and with plenty of ammunition.

The committee agreed to go up to the Government building at 3 o'clock, and broke up at 2:30, when the shot was fired on the corner of King and Fort streets, and we said: "Now is the time to go." For it seemed as though the fighting would begin, so we all started at once. I jumped into a hack and went home for my pistol, and got back just as the others were entering the yard. They all walked up in plain view, and were pretty close together. When we first got into the building, after the proclamation was read, about 25 or 30 men of Ziegler's company came from the old armory, and then we adjourned to the minister of the interior's room to start up the new Government. We had sent word round to the different squads we had ready and waiting to be at the Government building at 3 o'clock. We counted on 100 men. But we got there ahead of time—at fifteen minutes before three—and after that they came in pretty thick; so that we must have had 150 men there. We addressed letters to the different ministers asking them to recognize us. To this letter Mr. Stevens sent an aid down (Mr. Pringle) to see if we actually had possession. Mr. Dole said: "You see we have

possession, and have troops here to protect us." Then he took a look around, and politely bowed and left.

During this time we had sent for the old cabinet and they came in. They sent word that they were afraid to come, but we sent word that everything was perfectly safe, so Cornwell and Colburn came, then the other two. We told them what had been done and gave them a copy of the proclamation and demanded the surrender of the Queen and the station house and barracks. They asked for time to go and see Her Majesty. We positively refused to let their guards patrol the town during the night. Mr. Damon went with them to the palace. We refused to let them have time until the next day.

During all this time, in response to our call for volunteers, they were coming in pretty thick, and presently word came back from the palace that the Queen surrendered, but wanted ten minutes' time for Marshal Wilson to get out of the station house; a protest came, too, which Mr. Dole received. Captain Wiltse came in just before the surrender, and said he had come to see if we had possession. He said, "Have you got possession of the palace, barracks, and the station house?" Mr. Dole said, "No, not yet; we are now arranging that." "Well," he says, "you must have them before we can recognize you as a power; we can not recognize you when there is another Government across the street." While he was speaking a tap came on the door and the others were returning with the Queen's surrender.

About this time Mr. Stevens's recognition came, and then Mr. Wodehouse, the British minister, came to see if we had possession and what we were doing. We told him and gave him a copy of the proclamation.

Then we went ahead getting ready for the night. We tried to get things in shape before dark as near as we could. I recollect I came out just before dark when we were talking about preparing for the night in case of trouble, as it had been threatened that the town would be burned. We began getting guards to go out over town, and as I looked around I counted at least 150 men there. Before dark we sent 20 men to the police station with Capt. Ziegler. There were so many things happening between 15 minutes to 3 until dark that it is hard to tell what came first.

During our meetings from the 14th to the 17th we had been looking up men, arms, and ammunition, and in every meeting had reports. We had figured up about 200 of the old Honolulu Rifles besides from 400 to 600 citizens that would shoulder a gun if it became necessary. We had to make estimates, as we could not expect to succeed without backing. We counted on those men as ready in squads around town to be at the building at 3 o'clock.

As to the causes which led to the revolution at the time the Jones cabinet was fired I know positively, for I was on the street all the time, that there was awful indignation about it all over town, and the question was raised then as to what would become of the country, and that the citizens would have to take care of themselves, something would have to be done. I took part in the revolutions of 1887 and 1889 both. It was always the brains and moneyed men of the country against the King and the ignorant. The best class of people took part in all three revolutions. They started the revolution of 1887, and they defeated the revolution of 1889, protecting the King when they thought he was trying to do what was right. When the news came that this Queen had tried to give us a new constitution I knew that the good citizens would have to take hold and do something.

At the time the Queen adjourned the Legislature in the way she did

I first got the idea of actually starting in and using force to dethrone her. As soon as that kind of talk became general we began to hear threats of having our property burned. We called on the minister to bring the troops ashore to protect life and property, by which we meant to prevent any fires which we expected and had been threatened.

We never agreed in council nor was the question ever brought up that the Provisional Government would join with the Queen in submitting a controversy to the Government of the United States. The controversy was settled then and there when the Queen surrendered.

F. W. McCHESNEY.

Subscribed and sworn to before me this 5th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

WASHINGTON, D. C., *January 15, 1894.*

The subcommittee met pursuant to adjournment.

Present: The chairman (Senator MORGAN) and Senators GRAY and FRYE.

Absent: Senators BUTLER and SHERMAN.

ADDITIONAL STATEMENT OF PROF. WILLIAM DEWITT ALEXANDER.

The CHAIRMAN. I want to ask you some questions about your supreme court. I do not know whether in your constitutional paper you have said anything about the supreme court.

Mr. ALEXANDER. Yes; I have.

The CHAIRMAN. The supreme court consists of five judges?

Mr. ALEXANDER. Three at present.

The CHAIRMAN. Is that the law at the present time?

Mr. ALEXANDER. At present.

The CHAIRMAN. It has been changed from five to three?

Mr. ALEXANDER. In 1886 the law was passed increasing the membership of the supreme court bench to five, and afterward a law was passed which provided that no vacancy should be filled until the membership was reduced to three, and that it should remain at three.

The CHAIRMAN. Has the membership been reduced to three?

Mr. ALEXANDER. Yes. At the last session of the legislature a bill was passed reorganizing the courts on a new plan.

The CHAIRMAN. And provision was made in that law for the supreme court?

Mr. ALEXANDER. The supreme court in the last bill was made a final court of appeal, and provided that no judge should have a case to come before him in which he had previously sat.

The CHAIRMAN. Does the supreme court consist of a chief justice?

Mr. ALEXANDER. And two associate justices. Before that the supreme court judges held circuit courts, and there was complaint about that.

Senator GRAY. On the ground that it was an appeal from Cæsar to Cæsar?

Mr. ALEXANDER. Yes; they abolished that system.

The CHAIRMAN. Who were the supreme court judges of Hawaii?

Mr. ALEXANDER. A. F. Judd, R. F. Bickerton, and W. Frear. The first is chief justice and the other two are associate justices. They are in for life—good behavior. They can be impeached.

The CHAIRMAN. Mr. Dole, the present President of the Government, was a member of that court?

Mr. ALEXANDER. Yes; he resigned.

The CHAIRMAN. Did he resign during the reign of Liliuokalani?

Mr. ALEXANDER. Yes; the last day of her reign, or the day of the revolution.

The CHAIRMAN. On the 14th or 16th of January?

Mr. ALEXANDER. I think it was the morning of the 17th.

The CHAIRMAN. To whom did he address his resignation, to the Queen?

Mr. ALEXANDER. To the cabinet.

The CHAIRMAN. Are you positive about that?

Mr. ALEXANDER. No.

The CHAIRMAN. It was to Liliuokalani or her cabinet?

Mr. ALEXANDER. Undoubtedly.

The CHAIRMAN. He did not resign to the Dole Government?

Mr. ALEXANDER. No.

The CHAIRMAN. You are sure of that?

Mr. ALEXANDER. I think so; but that is rather an inference on my part. The fact can be accurately ascertained. The new Government had not been organized. I think there is reason for believing it was to the old government that he resigned.

The CHAIRMAN. Did Mr. Dole's resignation leave 3 judges on the bench?

Mr. ALEXANDER. No; it would leave 2.

The CHAIRMAN. You have just stated that the court consisted of three members, and you gave their names.

Mr. ALEXANDER. The question, then, is when Frear came on to the supreme court bench.

The CHAIRMAN. Did Frear take Dole's place?

Mr. ALEXANDER. I think he did; yes, sir.

The CHAIRMAN. Who appointed him?

Mr. ALEXANDER. Frear had been appointed during the Queen's reign to the position of circuit judge when Jones and his colleague were ministers.

The CHAIRMAN. The Wilcox cabinet?

Mr. ALEXANDER. Yes; I think they appointed him circuit judge.

The CHAIRMAN. When did Frear become a supreme court judge?

Mr. ALEXANDER. He was appointed to take Mr. Dole's place.

The CHAIRMAN. By the House?

Mr. ALEXANDER. By the present government, I think.

The CHAIRMAN. I would like to have those facts accurately, if I can get them.

Mr. ALEXANDER. I can verify it when I go home.

The CHAIRMAN. I wish you would; I would like to get those things down right. Have you any knowledge of a case where a clerk of the supreme court was removed because of disloyalty?

Mr. ALEXANDER. I have heard of a case.

The CHAIRMAN. Who is the party?

Mr. ALEXANDER. F. Wunderberg.

The CHAIRMAN. Is he a man who had been previously connected with some of these political affairs?

Mr. ALEXANDER. Yes; he took an active part in this last revolution.

The CHAIRMAN. On which side?

Mr. ALEXANDER. On the side of the revolution. He was one of the committee of safety. He was employed to look up arms.

The CHAIRMAN. Is there any other person of his name who has been connected with these political affairs?

Mr. ALEXANDER. No; he was tried before the court on this charge.

The CHAIRMAN. Before what court?

Mr. ALEXANDER. The supreme court.

The CHAIRMAN. Was he the clerk of the supreme court?

Mr. ALEXANDER. He was clerk of the supreme court.

Senator GRAY. When was he tried?

Mr. ALEXANDER. Well, it was recently.

The CHAIRMAN. Under the Dole government?

Mr. ALEXANDER. Yes.

Senator FRYE. It was treason under the Dole government?

Mr. ALEXANDER. Yes. He had a hearing before the court, and I think he had an attorney. I think C. W. Ashford assisted him as attorney. The case was argued before the court.

Senator GRAY. What was the result of the trial?

Mr. ALEXANDER. I know the judges removed him.

The CHAIRMAN. For disloyalty to the Dole government?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Was some one appointed in his place?

Mr. ALEXANDER. Yes; but I am not certain now who it was.

Senator GRAY. What sort of trial was it? Do you mean it was an indictment for a criminal offense, treason, and regularly prosecuted?

Mr. ALEXANDER. No; I think it was not a trial.

Senator GRAY. It was an examination before the judges, who had the power of appointment to that position, for the purpose of determining whether they would remove Mr. Wunderberg—that sort of trial.

Mr. ALEXANDER. Yes. Then he said he must have a public hearing, a chance to defend himself in open court. I think it was not a criminal trial.

Senator GRAY. Do you know Mr. Wunderberg personally?

Mr. ALEXANDER. Yes.

Senator GRAY. How old a man is he?

Mr. ALEXANDER. I should think he was 40.

Senator GRAY. Is he the man whom the Provisional Government offered to make collector of customs?

Mr. ALEXANDER. Yes.

The CHAIRMAN. The information in that case was printed in the newspapers in Honolulu?

Mr. ALEXANDER. I think so.

Senator GRAY. Was Mr. Wunderberg a man of good character?

Mr. ALEXANDER. He was a man who was honest in business matters—financial matters.

Senator GRAY. Did he bear a good reputation for honesty in the community in which he lived?

Mr. ALEXANDER. I think he had a fair reputation for honesty; he had been politically a singular man.

Senator GRAY. I am not talking about that. I know you gentlemen have very intense feelings in politics. Separating that entirely, is his character for honesty and fair dealing between man and man good or bad?

Mr. ALEXANDER. I think it was.

Senator GRAY. You think it was good? Am I to understand you as saying that?

Mr. ALEXANDER. Yes; I think so. He had been on several different sides; he changed sides several times in politics.

The CHAIRMAN. Is there any method of contesting the election in Hawaii for members of the Parliament or Legislature; any way provided by law?

Mr. ALEXANDER. For contesting elections?

Mr. ALEXANDER. Yes.

The CHAIRMAN. Those questions are decided by the House?

Mr. ALEXANDER. Yes.

The CHAIRMAN. By the house to which the man claims to be elected, or by both houses in conjunction?

Mr. ALEXANDER. I do not quite understand you.

The CHAIRMAN. Is the vote as to the qualification of a member, his election to a seat, taken in the house of nobles, if he claim election as a noble, or the house of representatives, if he claim election as a representative?

Mr. ALEXANDER. Both, I think; they act as one chamber.

The CHAIRMAN. Both houses vote in cases of contested elections?

Mr. ALEXANDER. Yes.

Senator GRAY. They vote separately?

Mr. ALEXANDER. No, they sit together.

The CHAIRMAN. Is the vote called separately?

Mr. ALEXANDER. Called separately for the nobles and representatives.

Senator GRAY. But they do not count separately; it is hotch-potch.

Mr. ALEXANDER. That was fixed in the constitution of 1864, and they allowed it to remain. I have verified the statement I made about the supreme court. Hon. Walter Frear was appointed judge of the first circuit of Oahu by the Wilcox-Jones ministry in December, 1892; Hon. S. B. Dole resigned his position on the bench of the supreme court on the morning of January 17, 1893, placing his resignation in the hands of Sam Parker, the then premier.

Adjourned to meet on Wednesday, the 17th instant, at 10 o'clock.

WASHINGTON, D. C., *Wednesday, January 17, 1894.*

The subcommittee met pursuant to adjournment.

Present: The chairman (Senator MORGAN) and Senators GRAY, SHERMAN, and FRYE.

Absent: Senator BUTLER.

SWORN STATEMENT OF LIEUT. COMMANDER W. T. SWINBURNE.

The CHAIRMAN. What is your age and rank in the Navy?

Mr. SWINBURNE. I am 46 years of age, and am lieutenant-commander in the U. S. Navy.

The CHAIRMAN. You were attached to the ship *Boston* at the time of her visit to Honolulu, in 1892?

Mr. SWINBURNE. I was; I was executive officer of the *Boston* up to the 29th of April, 1893.

The CHAIRMAN. When did the *Boston* arrive in the harbor?

Mr. SWINBURNE. I am not precise as to that date; either the 23d or 24th of August, 1892.

The CHAIRMAN. You left her there when you were detached?

Mr. SWINBURNE. Yes.

The CHAIRMAN. Had you been in Hawaii before that?

Mr. SWINBURNE. Many years before. I stopped there in 1870, when returning from a cruise in the Pacific in the *Kearsarge*.

The CHAIRMAN. Did you spend much time in Hawaii?

Mr. SWINBURNE. Only a week.

The CHAIRMAN. Between your visits did you discover that there was much progress made in Hawaii?

Mr. SWINBURNE. Very great progress; the town had grown enormously; in every way a great change in the place.

The CHAIRMAN. When you got back to Honolulu in 1892 what, in your opinion, was the condition of the people there as to quietude and the peaceful conduct of their industries and enterprises and associations?

Mr. SWINBURNE. Everything seemed to be perfectly quiet. The Legislature was in session, and the principal topic of conversation among the people was the prospective lottery bill. Everybody seemed to be much exercised over the lottery bill, which was a bill about to be presented to the Legislature, granting a charter to certain men to establish a lottery, or, at least, these men had the right to control all lotteries in the islands, and for that right they were to pay, my recollection is, something like $500,000 a year, and lay a cable between the United States and Honolulu. The Legislature, as I say, was in session; the Queen at that time had a ministry in power who were assumed to be favorable to the lottery scheme and some other schemes which she favored, and the majority of the citizens—when I speak of citizens I mean the white citizens or the moneyed interests of the place—opposed. The principal topic of conversation on shore was the necessity of having a responsible ministry, so that foreign capital might be attracted there. Business was very dull.

I remember one interest in particular which people were hoping might be established there—the extension of the railroad around the island of Oahu. Gen. Willey, from San Francisco, during the time I was there and some time before January, visited the island in the interest of a British syndicate. He was favorably and hopefully impressed with the whole situation, but timid on the subject of the insecure—not exactly the insecure, but the want of responsibility in the ministry. The people talked of hard times, and seemed to feel that something was necessary to attract money, to make capital come there and help them. The Legislature dragged on; one ministry was deposed; that is, a vote of want of confidence was brought in against this ministry of the Queen; another was appointed, and a vote of want of confidence was brought against them. Finally, after quite a length of time a ministry in every way favorable to business interests and to all the commercial interests of the place, known as the Wilcox-Jones ministry, was appointed by the Queen. Everybody seemed to be satisfied with it, and everything looked hopeful. In fact, my own personal opinion is that if the Wilcox-Jones ministry had remained in the Queen would have been on the throne to-day. Everybody was satisfied with the Wilcox-Jones ministry. They were opposed to the lottery bill.

The CHAIRMAN. Were they voted out?

Mr. SWINBURNE. Yes. On the 1st of January Capt. Wiltse began to talk about his target practice; we had no target practice for nine

months. Minister Stevens was anxious to visit Hilo and other places on the islands, and would not have another opportunity, as he expected to go home in April, and he thought that would be a good opportunity to visit Hawaii, which he had not seen.

The CHAIRMAN. You mean the island of Hawaii?

Mr. SWINBURNE. The island of Hawaii. I said to the captain: "It seems to me it is rather risky for us to leave the island at this time; the legislature will hardly remain in session more than two or three weeks longer, and we have stayed here now four months; it seems to me it is not worth while to go just now." The captain said: "The Wilcox-Jones ministry can not be voted out; I am certain of that; I have looked at the situation, and I am satisfied the Queen can not get votes enough to bring in a vote of want of confidence; besides that, the minister has looked into the situation, and you do not think he would leave the island if the Wilcox-Jones ministry could be ousted?" I said nothing more about it. We sailed to Hilo on the 4th of January, and finished up our target practice in Lahaina on the evening of the 13th.

The CHAIRMAN. There was no appearance of agitation at that time?

Mr. SWINBURNE. Not the slightest; everything looked perfectly safe. On the evening of the 13th we anchored off Lahaina, intending to get under way at midnight and return to Honolulu. I went to bed early, because I had to be up at midnight, and when I got up at midnight I heard that a steamer had arrived from Honolulu and brought some papers. I picked them up and, much to my surprise, found that the lottery and opium bills had been passed and the Wilcox-Jones ministry voted out. Of course everybody was quite taken aback; still we did not anticipate any particular trouble.

The CHAIRMAN. Before you got this intelligence from the little island steamer were you aware of the existence of any plot, scheme, conspiracy, or combination for the purpose of dethroning the Queen or for the purpose of annexing the islands to the United States?

Mr. SWINBURNE. None at all.

The CHAIRMAN. It never occurred to you?

Mr. SWINBURNE. It never occurred to me. If that ministry had remained in, or an equally responsible ministry had been put in, everything could have remained as it was. Of course there was an immense opposition on the part of the foreign population to this lottery bill.

The CHAIRMAN. By foreign population do you mean the white population?

Mr. SWINBURNE. The white population.

The CHAIRMAN. Whether they were citizens or not?

Mr. SWINBURNE. Citizens or not.

The CHAIRMAN. They were all called foreigners?

Mr. SWINBURNE. Yes. Those born in the islands are spoken of as Hawaiians, as a rule. In fact, an enormous petition was sent to the Queen, signed by the white ladies of the island, which petition was spoken of as the "mothers' petition." It was against this lottery bill.

The CHAIRMAN. When you got back to Honolulu—got into the harbor—how long did Minister Stevens remain aboard the vessel?

Mr. SWINBURNE. He could not have remained aboard more than an hour. In fact, so soon as it was convenient to get a boat off, he left. I do not think it could have been an hour.

The CHAIRMAN. Do you know whether Minister Stevens' daughter came out for him?

Mr. SWINBURNE. Yes; his daughter came out; and my impression is Mr. Severance came on board.

The CHAIRMAN. He is the consul-general?

Mr. SWINBURNE. He is the consul-general.

The CHAIRMAN. Did the young lady, Miss Stevens, come on board?

Mr. SWINBURNE. No.

The CHAIRMAN. You are sure Mr. Severance did?

Mr. SWINBURNE. I am pretty sure he did. Mr. Stevens went on shore in the captain's gig, and very shortly afterward Lieut. Young went ashore to represent the ship at the prorogation of the Parliament, which took place at noon.

The CHAIRMAN. That is the ceremony which the ship's officers were expected to participate in in conformity with the customs of Hawaii?

Mr. SWINBURNE. Yes. Mr. Young was detailed to that duty by Capt. Wiltse.

The CHAIRMAN. Do you know how long it was after Mr. Stevens left the *Boston* on Saturday morning until he returned to the ship?

Mr. SWINBURNE. I do not remember to have seen him on board again until Monday afternoon, about 2 o'clock.

The CHAIRMAN. Being the executive officer of the ship, if Mr. Stevens had come on board, would you have known it?

Mr. SWINBURNE. Without a doubt, unless he should have come when I was on shore, and then Mr. Moore would have known it.

The CHAIRMAN. At the time he left the *Boston*, had you heard of any outbreak or hostile demonstration of any kind amongst the people in Honolulu?

Mr. SWINBURNE. None at all. But I knew from all the conversation during all these many months that the Legislature had been in session, about the passage of the lottery bill and the character of the new ministry, the people must be very much excited. They were a perfectly irresponsible set of men as ministers.

The CHAIRMAN. Do you remember whether any messengers came back to the ship from Lieut. Young, bearing messages to Capt. Wiltse in regard to the situation of affairs in Honolulu on Saturday?

Mr. SWINBURNE. I do not. I was very busy Saturday morning mooring the ship, getting her settled, and I do not recall now exactly what time Mr. Young returned, nor exactly what time he went ashore; but it was sometime before lunch, before 12 o'clock.

The CHAIRMAN. At what time did you commence making military preparations on board the *Boston* for the landing of troops?

Mr. SWINBURNE. On Saturday afternoon, at the usual time for making out the liberty lists. It is customary while in port to make out liberty lists before 12 o'clock on Saturday; that was their best day and I was so busy I could not attend to it; but immediately after lunch I went to the cabin to speak to the captain about the liberty list. He said, "Don't let any men go ashore at all; everything is in a chaotic state; I do not know when we will be called upon to protect property, and I do not want the men to leave the ship. Notify all the officers to return on board ship when a gun is fired." I was not very much surprised, because we had been there for months to protect property and American citizens.

The CHAIRMAN. You understood that was your purpose in the harbor there?

Mr. SWINBURNE. Yes.

The CHAIRMAN. For months?

Mr. SWINBURNE. For months; yes

The CHAIRMAN. State the progress that was made in the preparations for landing troops.

Mr. SWINBURNE. Well, on Saturday nothing was done at all; on Sunday I had the same orders from the Captain—"No men to go ashore, and officers to return on board ship on the firing of a gun." On Sunday afternoon I went on shore myself. I went to the club, and I found that there was an immense amount of feeling, that there was a very distinct race feeling grown up; the white people felt that the new constitution which the Queen was about to promulgate on Saturday afternoon had created a great deal of feeling. I did not know what that new constitution was; nobody knew exactly; but it was freely talked of there that one clause disfranchised all white people not married to native women, and also that it gave the Queen complete and entire control of the ministry—to make it and unmake it as she saw fit. Those two clauses were talked about, and the Queen's manner in talking to the natives from the balcony showed that she was ready to fan into a flame every race prejudice she could.

The CHAIRMAN. You mean that was the feeling you found among the people?

Mr. SWINBURNE. Yes. Some gentlemen I had not known to talk much about political subjects before that said to me, "You fellows got back here entirely too soon; if you had stayed away we could have settled this matter." They seemed to think our coming back prevented them. They said, "We could have settled this matter before you came back." I regarded the situation as very grave; that is, under the circumstances, with the Queen's attitude toward the foreigners and the manner of her own people as they were turned away from the palace that morning, and her stating to them that she would not give them the constitution, but would hold it until some better opportunity. I could see that the people were afraid of outbreaks, rioting.

The CHAIRMAN. What meaning did you understand to be conveyed by that statement made by citizens, "If you had not gotten back so soon we would have settled the matter?"

Mr. SWINBURNE. Why, that they would have deposed the Queen and had the whole business settled before we got there, as they were capable of doing.

The CHAIRMAN. That was on Sunday?

Mr. SWINBURNE. On Sunday.

The CHAIRMAN. Sunday afternoon?

Mr. SWINBURNE. Sunday afternoon. There was a distinct feeling of tension in the town; no doubt about it. In fact I know several gentlemen who moved their families from the town to Waikiki in the event of trouble. Mr. Hopper, who is an American, I think, and who lives within a block or two of the Queen's palace, he moved his family to Waikiki.

The CHAIRMAN. How far is that?

Mr. SWINBURNE. Two miles and a half; in the suburbs. He told me he thought there would be some trouble, and he removed his family.

The CHAIRMAN. To a place of greater security?

Mr. SWINBURNE. Yes. So it went on all day Sunday and Sunday night.

The CHAIRMAN. Did you remain on shore Sunday night?

Mr. SWINBURNE. I did not remain on shore Sunday night. Of course, there was a great deal of talk; all the white people were very much excited, and it appeared as if there was likely to be an outbreak of some kind most any time.

The CHAIRMAN. What time did you get back to the ship that evening?

Mr. SWINBURNE. I got back to dinner at 6 o'clock.

The CHAIRMAN. Did you have a conference with Capt. Wiltse when you got back?

Mr. SWINBURNE. No; Capt. Wiltse and I very rarely discussed the situation at all. In fact, if I remember aright, the only time I undertook to give any advice at all was the occasion of leaving the island, on the 4th of January.

The CHAIRMAN. Was Capt. Wiltse receiving communications on the subject from the shore?

Mr. SWINBURNE. Not that I am aware of. I think he was ashore himself. He used to go ashore a great deal, every afternoon. I think his custom was to go every afternoon.

The CHAIRMAN. Do you remember any messenger being sent from the U. S. legation or consulate to the ship to give information to Capt. Wiltse?

Mr. SWINBURNE. No; I do not think I would have known. There was no reason for me to have known if they had come. The captain was on shore on Saturday and Sunday.

The CHAIRMAN. You remained on the ship on Monday as executive officer?

Mr. SWINBURNE. Yes. On Monday morning I laid my plans to start out and give the ship a cleaning. We had been ten days away, and the ship was very dirty, and I expected to be all day at the job. By 10 o'clock I had the spars fairly cleaned, and about 11 o'clock, when the decks were covered with sand, the captain sent for me and said, "you had better make your preparations for landing the battalion; have them ready at a moment's notice."

The CHAIRMAN. Are you aware of any communication having been received from the shore by Capt. Wiltse on that Monday morning which determined him to put his ship and his troops in condition for hostilities?

Mr. SWINBURNE. Yes. Just before he gave me that order—I think about 11 o'clock, as nearly as I can remember—he sent for me. There was a gentleman in the cabin; I think it was Mr. Cooper, a man I had not seen before. The captain introduced me to him. He told me that Mr. Cooper had come from the—I may have dates mixed up; my impression is that Mr. Cooper had come with a message of some kind from the committee of safety. But what was the nature of his communication to the captain I do not know.

The CHAIRMAN. During that morning, and before the orders were given you to put the ship in condition for fighting, did you know of the arrival of any message or messenger from Mr. Stevens, the minister, or from Mr. Severance, the consul-general of the United States?

Mr. SWINBURNE. None whatever, only this man that I saw just before lunch time.

The CHAIRMAN. Being executive officer of the ship, if any messenger of that kind had come in from the legation or the consulate would you have known it?

Mr. SWINBURNE. Not necessarily.

The CHAIRMAN. But do you believe you would have known it?

Mr. SWINBURNE. That would depend very much on the gravity of the message. An ordinary message I would not have known at all; any message connected with the landing of the battalion I would have known very quickly. No preparation was made until after 11 o'clock on Monday morning, and the captain then told me to have everything

in readiness for landing. I asked what he wanted. He said: "You had better take a gatling gun and a 37 millimeter." I said, "Two gatling guns would be better than a 37 millimeter;" and the captain said, "Take a 37 millimeter." I stopped the work of scrubbing, left it just where it stood, had the canteens filled and belts filled, and the caisson of the 37 millimeter filled. I had lowered the two heavy boats that took the guns; and after dinner, 1 o'clock, had the guns lowered into the boats, so as to save time, and by half-past 2 I was practically ready for landing.

The CHAIRMAN. You took provisions along with you?

Mr. SWINBURNE. No provisions at all.

The CHAIRMAN. No tents?

Mr. SWINBURNE. We had no tents.

The CHAIRMAN. You did not know how long you would be detained on shore?

Mr. SWINBURNE. Not the slightest idea. The minister came on board at half past 2, or thereabouts. I knew there was to be a mass meeting of the citizens at half past 2, and I knew there was to be a counter mass meeting called by the Queen's party. My impression was, when I heard that in the morning, that the two meetings would probably bring the matter to a crisis.

Senator TURPIE. You spoke of going to the club. What club was it?

Mr. SWINBURNE. It is known as the British Club. It is the foreign club of the place there.

The first time I saw Mr. Cooper, I recollect now, was on Saturday. He came aboard to see the captain. My recollection is he came from Judge Hartwell to bring the news of the Queen's attempt to promulgate this new constitution. When this attempt was made and after the ministry had refused to aid her, two of them took the news to Judge Hartwell's office.

The CHAIRMAN. You are now telling what you were informed?

Mr. SWINBURNE. Yes. The first time, as I stated before, that I saw Mr. Cooper, was this Saturday afternoon just after lunch.

The CHAIRMAN. When Cooper came on board the ship?

Mr. SWINBURNE. Yes. And my impression is that he was the same messenger who came on Monday morning and brought some message to the captain which decided him to have the troops in readiness.

The CHAIRMAN. Now, as I understand you, between the time you got the troops ready to go on shore, the caisson lowered into the boat, and other preparations made, and the time of your going on shore, Minister Stevens came on board?

Mr. SWINBURNE. Mr. Stevens came aboard. He arrived at about half past 2. I met him at the gangway with the captain, and walked as far as the cabin door. I did not go in. In about three-quarters of an hour or an hour afterwards the captain sent for me and said, "I want you to land with the battalion at 5 o'clock; as near 5 o'clock as possible." I suggested it would be a good idea to have supper before we went on shore; we could not get anything to eat afterward. The captain said, "Let the men have supper at 4 o'clock, and take some biscuits for the night." We had supper at 4 o'clock, and at half past 4 the men were organized in heavy marching order with a change of clothes and 80 rounds of ammunition—no baggage at all.

The CHAIRMAN. Before that occurred had Minister Stevens left the ship?

Mr. SWINBURNE. He had left the ship; yes. I think he left—I will not be certain but my impression is he left about 4 o'clock.

The CHAIRMAN. Did you hear any interview between him and Capt. Wiltse?

Mr. SWINBURNE. None at all, except that I suggested that it would be well to have all the company captains present to find out what the orders would be, as nearly as we could find out. At that meeting it was decided——

Senator FRYE. Mr. Stevens was present?

Mr. SWINBURNE. Mr. Stevens was present. I asked where we were to go. Mr. Stevens said he did not know where we would be able to go; that he had not thought the matter over; that he would have to have some large building somewhere, and he thought the opera house would be a good place if we could get it. The opera house faces the palace. I said that my own desire and preference would be to be near the landing, because I would be nearer my base, and nearer the liquor shops. My idea was, if there was an outbreak of any kind, my first move would be to close all liquor stores, and if necessary leave a guard there, or nail them up, to prevent people from getting liquor. Mr. Stevens said he did not know of any building around the water front, but he thought we could get the opera house. Then he said: "By the way, there is a Mr. Atherton, an American, who lives down on King street; suppose you let the troops go on there." That was to the captain. So that that was finally decided upon in an unofficial sort of way. The captain said: "You can stop at the consulate and send half the marines to the minister's; detail an orderly sergeant in charge of the squad you send to the minister's; leave the other half in charge of Lieut. Draper at the consulate and march on, and by that time we will be able to tell you where you are to go." I said: "In the event of not getting any orders"—I wanted to get the men off the street so soon as possible—"I will go to Mr. Atherton's." The captain said: "Yes."

At 5 o'clock we landed. There was no demonstration, but there were a great many people about, the same as usual when we landed to drill, as we had done once a week. We arrived and marched up to the consulate; marched up King street past the palace. I was told afterward the Queen was standing on the balcony. We gave the salute. It was always the custom to give the royal salute on passing the palace, and we did on this occasion—the men at port arms, four flourishes of the trumpet, and the flag lowered—ordinary marching salute. We marched on a block beyond there, and then I halted and went into the house of Mr. Hopper and asked the privilege of using his telephone. I telephoned to the captain and asked if they had decided where we were to go. He said he had not. I then marched on to Mr. Atherton's, fully three blocks further, quite a distance down the street. Mr. Atherton said he had no objection to our coming in there—he had large grounds—and we marched in, stacked arms, established sentries, and settled down. I telephoned the captain two or three times when it got dark.

It was a new experiment to me. I did not know how the men would behave. I wanted to get them under cover. We had found no place At 9 o'clock the captain's aid came down and told me to go up to Arion Hall. I did not know the place and the aid marched on ahead. We marched down (it was late) without any drum, in order not to attract attention. We got to Arion Hall, which is a long, narrow building in the rear of the opera house. It has a very narrow yard on the street side—the street which separates it from the Government building—and yards on the other three sides. Arion Hall is a 1-room building, with a veranda on the two sides. The guns were parked, the men turned in, and sentries posted. I took a lantern and went around to see what

sort of a place I would have to defend, if necessary. I had sentries posted, and we settled down there for the night.

Senator FRYE. Had it been raining that evening?

Mr. SWINBURNE. No, not at all. I did not sleep any; no one slept any, the mosquitoes were so bad. About 12 o'clock there was an alarm of fire. I went out and met Mr. Castle, an American, coming along on his bicycle, and he said: "That fire is out beyond my house, on the plains—some distance—I can get there and back in a short time on my bicycle, and bring you the news." He came back—he was not gone more than ten minutes—and said it was an unoccupied barn. It was an incendiary fire, but there was no trouble. At 3 o'clock there was another alarm. I turned out for that. It appeared to be in the direction of the Hawaiian Hotel. It made a big blaze. I went up to that. It was discovered to be an arbor in Emma Square, with a tree growing over it. That was also an incendiary fire, unquestionably; but it was put out without any trouble.

The next morning we settled down to get the men in condition to keep them occupied, laid out the drills, and made preparations—sanitary preparations. Drains were dug and the whole place fixed up. About 1 o'clock Tuesday afternoon Mr. Charles Carter, who was afterward one of the commissioners to this country, came in to see me.

Senator GRAY. What relation is he to the late minister to the United States?

Mr. SWINBURNE. A son of the late minister to the United States, a prominent lawyer there, and a man whom I had met frequently. He came in and stayed some time, this afternoon, and said: "It is the intention of the committee of safety to take possession of the Government building. You will recognize them by Mr. Dole; you know Mr. Dole; he is the tallest man in the party; if you see him in the party you will know what he is doing. They are going to take possession of the Government building." He said: "Have you any objection to my seeing your orders?" I said I had not. I called his attention to the orders lying on the table. As he handed them back to me I said: "You see my orders are to protect the legation, the consulate, and the lives and property of American citizens, and to assist in preserving order; I do not know how to interpret that; I can do it in but one way. If the Queen calls upon me to preserve order I am going to do it." He said nothing further to me about that, and went off. The men were just coming in from drill.

It was, perhaps, half past 2 or a quarter to 3 when a man rushed up to the gate, an American, with a Winchester and belt of cartridges, quite excited, and said: "The police have attempted to stop our ammunition wagon; it was necessary for it to go on, and the policeman was shot and killed, and that there was a large crowd collected on Merchant street" (Merchant street is where the police station is), "and I was ordered to come and tell you." I said: "Who are you, and what is 'our ammunition wagon?'" He said: "I belong to one of the companies raised by the committee of safety, and our ammunition, which has been loading all day outside of Hall's store, was stopped by the policeman, and he was shot." He said: "After Mr. Good warned the policeman off he dropped his whip and fired on him."

The CHAIRMAN. Was the policeman killed?

Mr. SWINBURNE. It turned out afterward that he was not killed. This man said to me: "Can I stay here at your camp until my company arrives?"

I said: "Yes." He was an American citizen and could stay anywhere. I suppose that was naturally the beginning of the riot. The

crowd collected, and I had the signal sounded, got the companies in the rear of the building out of sight to stack arms, and had the men kept at their company parades, so that they would not lounge about or expose themselves.

The CHAIRMAN. What time of day was this?

Mr. SWINBURNE. Three or 4 o'clock.

The CHAIRMAN. On Tuesday?

Mr. SWINBURNE. On Tuesday. Then I stood at the gate to see what would happen. The next thing was the arrival of Mr. Dole at the building. The proclamation was read. At the time they commenced to read the proclamation the companies commenced to come in, one at a time. This was about half-past 4 o'clock. So far as time is concerned, however, it is all guesswork; these events happened without my knowing what was coming, and I have simply to judge from the routine of the camp. About half-past 4 or 5 o'clock I got a note from President Dole asking me if I would come to see him in the Government building. The captain arrived at the time these people entered the Government building and he took command. I showed the note to the captain and said: "I will go over and tell Mr. Dole you are here and will see him." The captain said: "I have no objection to seeing him." I went over and told Mr. Dole that the captain had arrived, and if he (Mr. Dole) had any propositions to submit the captain would see them. I took a note from Mr. Dole to the captain, asking if he could come over. I asked to be present at the meeting and the captain said yes. I went over, and in the office of the minister of the interior was Mr. Dole, Mr. Jones, W. O. Smith, and a number of other gentlemen.

A large number of arms was piled up in the room, a large quantity of ammunition stacked in the hall, and there was at least 100 men under arms. There was an armed sentry at every gate; the whole place had the appearance of being well guarded. We went in and Mr. Dole greeted the captain. My impression is that W. O. Smith and Mr. Jones did the most of the talking. They announced to the captain that they had formed themselves into a provisional government. A proclamation had been read declaring the Queen dethroned and the ministry dissolved; that they had possession of the archives, the Government building, and the treasury, and that they were a *de facto* government. They asked the captain if he was prepared to recognize them as such. The captain said: "Have you charge of the police station and the barracks, and are you prepared to guarantee the safety of life and property?" Mr. Dole said: "We have not charge of the police station at present, but it is a mere matter of time; it is bound to be given up in a few minutes; I expect to hear that it is given up at any time." The captain said: "Until you are prepared to guarantee that you can give protection to life and property I can not recognize you as the *de facto* government," or words to that effect. Just then the late ministry was announced, and there seemed to be nothing further for us to say and we went out.

The CHAIRMAN. Was anything said at that conversation about being in possession of the barracks?

Mr. SWINBURNE. No. We knew they were not in command of the barracks; the Queen's troops were there, and sentries—just as quiet as possible. We returned to the building at 6 o'clock, and the men had supper. In the meantime all these companies had arrived and were drilling. At half-past 6 o'clock the captain said "I must go up to the minister's; before I go I want to state to you that the minister has recognized the Provisional Government as the *de facto* Government of the islands; you will consider them as such." That was at half-past

6, and that was the first time I had heard of any official recognition from the minister at all.

The CHAIRMAN. Were the Queen's troops still at the barracks and under arms at the time of that information?

Mr. SWINBURNE. The sentry was there.

Senator GRAY. So far as you could see, no change had taken place?

Mr. SWINBURNE. No.

The CHAIRMAN. That was the time that Capt. Wiltse informed you the minister had recognized the Provisional Government as the *de facto* Government?

Mr. SWINBURNE. Yes; at half-past 7—I had a telephone put in that day—I had a call from central that said "the citizen troops had taken charge of the armory." Then I got a call from the marine officer, who was right near and could see the building from where he was.

The CHAIRMAN. At the time that Capt. Wiltse informed you what had been done by this Provisional Government, and when he said he would go up and see the American minister, did he give you any instructions as to whether you should or should not recognize that Government?

Mr. SWINBURNE. Oh, yes; that I was to recognize that Government. My impression is that he satisfied himself that they had troops enough to handle the situation. I think they had myself. Then I got a message from Mr. Draper, the marine officer, stating the same thing—that the police station had surrendered to the forces. The central simply notified me that the citizen troops had taken charge of the police station, and that was followed by a communication from Mr. Draper, at the consulate, that the troops had taken possession of the police station.

Senator GRAY. Who was Mr. Draper?

Mr. SWINBURNE. The marine officer.

Senator GRAY. He was where he could see?

Mr. SWINBURNE. Yes.

Senator GRAY. Near the police station?

MR. SWINBURNE. Near the police station. By standing on the sidewalk he could look down and see what was going on. All that night it was perfectly quiet—no disturbance of any kind. The next morning about 11 o'clock, while standing outside the camp, the English minister and the Portuguese minister came along.

Senator GRAY. When was that?

Mr. SWINBURNE. Wednesday morning. The English minister stopped and notified me that he had just been to notify the Provisional Government that he would recognize them as the *de facto* Government, pending advice from his Government; but he said, as a sort of parenthesis, "I found it necessary to ask them, if they were the *de facto* Government, why it was necessary to bring foreign troops on the soil." He expected an answer from me. I looked as if I had no answer to give, and he looked at me a few minutes and went on. The Queen surrendered the palace that day; the Royal standard was hauled down, and she retired to Washington Place. She was allowed a guard of half her former troops, household guards—a force of 15 or 16 men.

The CHAIRMAN. Of Hawaiian troops?

Mr. SWINBURNE. Hawaiian troops—the rest were disbanded, paid to the end of the month, and they left pretty cheerfully.

On Thursday we moved into our new quarters on Fort street, which had been procured for us, the property of Mr. Bishop. Mr. Damon was the agent of the property, and through him this was arranged. We moved in there and stayed there, and the next step was the hoisting of the flag, on the 1st of February. For two or three weeks before

the 1st of February there had been a great many rumors of an outbreak; the current report was that the Royalists thought it necessary to make a demonstration of some kind before the departure of the steamer on the 1st of Febuary, and for that reason for three or four nights everything was guarded very closely at the Government building; they had extra patrols, and every preparation was made to prevent any surprise. On the evening of the last day of January Capt. Wiltse said to me, "I want you to be ready to have the battalion under arms at half past 8, when I will come on shore and give you your orders."

At half past 8 the battalion was paraded, the captain arrived and handed me the orders, a copy of which is there, and dated the 1st of February. He ordered me to take charge of the Government building, the flag to be hoisted at 9 o'clock. I marched down with the battalion. At the Government building I found all the members of the advisory council and the members of the cabinet of the Provisional Government. The three companies of troops were drawn up on the three sides of the square. We marched in and were drawn up in front of the building, and then by direction of the captain the adjutant read the proclamation of the minister establishing a protectorate over the islands pending negotiations with the United States. As I understand, that was at the request of the Provisional Government. Then the American flag was hoisted and saluted. After the American flag was hoisted the Hawaiian flag was hoisted.

Senator GRAY. How was the American flag saluted?

Mr. SWINBURNE. The troops presented arms, and three flourishes of the trumpets were given.

Senator GRAY. Was a salute fired from the ship?

Mr. SWINBURNE. A salute of 21 guns was fired from the ship.

Senator GRAY. What was the salute from the ship?

Mr. SWINBURNE. The national salute.

The CHAIRMAN. And then you faced about——

Mr. SWINBURNE. Faced about and gave the same honors to the Hawaiian flag.

The CHAIRMAN. Was any salute fired?

Mr. SWINBURNE. No salute was fired. Then the building was turned over to my custody, and the Provisional Government's troops marched out. By Capt. Wiltse's order I left a marine guard of 25 men which had been withdrawn from the consulate and legation that day, leaving only 5 men at the legation. They were placed in charge of the Government building. There was a change apparent at once; no more rumors of uprising of any kind—uprising of the Royalists; the transaction of public business was much facilitated, because the marines had orders to let anybody come and go without being bothered about passes or anything of the kind. So two days passed, when President Dole came to me and said he would like to have the Government building opened that the court might be held, and to that end he would like to have the sentry removed from the front gate during the hours from 9 till 4.

The CHAIRMAN. What court?

Mr. SWINBURNE. The supreme court. I suggested that it would be better to go further than that, to remove all sentries for the time so as not to have the appearance of keeping anybody away, which was done. All the sentries were taken from the public building from 9 to 4, all the gates were opened, and the court held its sessions. A short time afterwards one company of 36 men was sent on board ship (Mr. Young's company), reducing the force on shore to 120 men. Then, on the 20th of March, by direction of Rear-Admiral Skerrett, another

company of 36 men was withdrawn, and that, with the casualties that occurred, left the force on shore about 90 men; I think less than that.

Senator GRAY. What do you mean by casualties?

Mr. SWINBURNE. Some men sent on board ship for punishment, and quite a number sent on board sick. Somewhere in the neighborhood of 80 to 90 men left, including the drum corps and color guard.

The CHAIRMAN. At what time did Admiral Skerrett come into the harbor?

Mr. SWINBURNE. I forget the date of his arrival; but it was after the flag was hoisted.

The CHAIRMAN. On what ship did he come?

Mr. SWINBURNE. The *Mohican.*

The CHAIRMAN. Is that his flagship?

Mr. SWINBURNE. Yes.

The CHAIRMAN. What was Admiral Skerrett's command?

Mr. SWINBURNE. The Pacific Station.

The CHAIRMAN. That included Hawaii?

Mr. SWINBURNE. That included Hawaii; yes.

The CHAIRMAN. How long did Capt. Wiltse remain on the *Boston* after Admiral Skerrett's arrival?

Mr. SWINBURNE. My impression is that he remained until about the 5th of March, when he was relieved by Capt. B. F. Day.

The CHAIRMAN. Did he leave on account of sickness?

Mr. SWINBURNE. He left because of the termination of his cruise. He was there a little longer than the termination of his cruise. Two years is now the ordinary term of a captain at sea; that had expired in February, and in the ordinary course of routine Capt. Day was sent out to relieve him.

The CHAIRMAN. How long did Capt. Wiltse live after that?

Mr. SWINBURNE. I have forgotton the date of his death—probably six weeks or two months.

The CHAIRMAN. After he arrived in the United States?

Mr. SWINBURNE. After he arrived in the United States. He had been apparently in good health; but he had one stroke of apoplexy while he was attached to the ship. I was not surprised.

The CHAIRMAN. Are those the orders under which you left the ship with that detachment (exhibiting paper)?

Mr. SWINBURNE. Yes.

The CHAIRMAN. They are as follows:

U. S. S. BOSTON, SECOND-RATE,
Honolulu, Hawaiian Islands, January 16, 1893.

Lieut. Commander W. T. SWINBURNE,
U. S. Navy, Executive Officer U. S. S. Boston:

SIR: You will take command of the battalion and land in Honolulu for the purpose of protecting our legation, consulate, and the lives and property of American citizens, and to assist in preserving public order.

Great prudence must be exercised by both officers and men, and no action taken that is not fully warranted by the condition of affairs and by the conduct of those who may be inimical to the treaty rights of American citizens.

You will inform me at the earliest practicable moment of any change in the situation.

Very respectfully,

G. C. WILTSE,
Captain, U. S. Navy, Commanding U. S. S. Boston.

What time of day were these orders delivered to you?

Mr. SWINBURNE. About half past 4 on the afternoon of the 16th.

The CHAIRMAN. When you received these orders did you receive any personal or private instructions from Capt. Wiltse in addition?

Mr. SWINBURNE. None at all, except what I have stated in regard to where we were to go.

The CHAIRMAN. Did you at that time know of the formation of a provisional government in Hawaii?

Mr. SWINBURNE. No; not at all. In fact I knew nothing about that until Mr. Carter spoke of it on Tuesday afternoon.

The CHAIRMAN. That was the first knowledge you had?

Mr. SWINBURNE. That was the first knowledge I had.

The CHAIRMAN. So that, in landing with those troops you were not landed for the purpose of protecting the Provisional Government.

Mr. SWINBURNE. Not the slightest.

The CHAIRMAN. Or inaugurating a provisional government?

Mr. SWINBURNE. Not at all.

The CHAIRMAN. You were not certain that you were to do anything more than to protect the——

Mr. SWINBURNE. Protect American property and the lives of citizens—particularly the property. There had been always a feeling during the time we were there that we were there to look out, in the event of any domestic disturbance in the islands, that no harm came to the Americans or their property in any way.

The CHAIRMAN. You are not certain whether that order to assist in preserving public order related to the Queen's Government or any other government?

Mr. SWINBURNE. I supposed it to mean the Queen's Government; that was my interpretation. There was no other government when I landed.

The CHAIRMAN. So that, if the Queen had addressed to you a request to preserve the public order, or if you had found that the public order was being disturbed by opposition to her, you would have felt required to respond?

Mr. SWINBURNE. That request would have come through the minister to me, merely to preserve order. I did not know that I was there to fight her battles any more than anybody else's. I was there to preserve order; protect the peaceful rights of citizens in the town. I should have been ready if called upon to lend a hand.

Senator GRAY. You were going to prevent fighting?

Mr. SWINBURNE. I was going to prevent any fighting that endangered peaceable American citizens in the town.

Senator GRAY. Did Capt. Wiltse say anything to you, or in your presence say anything about preventing any fighting in the town, or not allowing any fighting in the town?

Mr. SWINBURNE. No; not at all.

Senator GRAY. Never did?

Mr. SWINBURNE. No.

Senator GRAY. That if they wanted to fight they would have to go outside?

Mr. SWINBURNE. The order said, I thought, no more than to see that peaceable citizens were not interfered with.

Senator GRAY. Did Capt. Wiltse say that if there was to be any fighting it should be out of town?

Mr. SWINBURNE. No; he said nothing to me about fighting at all. We had no discussion of the orders.

Senator GRAY. Did he say it in you presence?

Mr. SWINBURNE. I never heard it.

The CHAIRMAN. Your construction of the fighting order was to see that peaceful citizens were not interfered with?

Mr. SWINBURNE. Yes.

The CHAIRMAN. By anybody?

Mr. SWINBURNE. By anybody.

Senator FRYE. I understand that under the rules and regulations of the U. S. Navy, naval officers in foreign ports are required to protect the lives and property of American citizens. Now, do you not understand that, so far as this order related to the preservation of order, that you were to preserve order so as to render safe the lives and property of American citizens?

Mr. SWINBURNE. Precisely.

Senator FRYE. You would not have felt called upon to stop it if the Queen's troops had fired into the Provisional troops.

Mr. SWINBURNE. Oh, no.

Senator FRYE. Your idea was that the order was for you to protect the lives and property of American citizens?

Mr. SWINBURNE. Yes. The evening we landed it was reported, and the next morning Mr. Draper said the Chinese consul came to him at the consulate after the consul-general had left and reported that his people were very much disturbed, and he did not know what was going to happen, and he wanted to know from Mr. Draper what they were to do. Mr. Draper said: "If your people behave themselves, go to their houses, and keep out of trouble I will see that they are protected." So that he notified me of that the next morning, and I said, "Certainly; in such a case as that there is no reason why we should not protect any man's life, when he is simply behaving himself and attending to his own business." That was the only question that ever came up. My idea was that I was to look out for American property. Of course, there was some American property there then in danger, and I was going to see that that property and the lives of the owners were looked out for.

The CHAIRMAN. By property do you mean goods?

Mr. SWINBURNE. Goods; yes, and houses. What I feared was incendiary firing of houses, and that sort of thing, by an irresponsible mob.

The CHAIRMAN. Are those the orders under which you took possession of the Government Building [exhibiting paper]?

Mr. SWINBURNE. Yes. They are laconic enough.

The orders are as follows:

"U. S. S. BOSTON, SECOND-RATE,
"*Honolulu, Hawaiian Islands, February 1, 1893.*

"Lieut.-Commander W. T. SWINBURNE,
"*Commanding Battalion, U. S. S. Boston.*

"SIR: You will take possession of the Government Building, and the American flag will be hoisted over it at 9 a. m.

"Very respectfully,

"G. C. WILTSE,
"*Captain, U. S. Navy, Commanding U. S. S. Boston.*"

The CHAIRMAN. These are the orders under which you abandoned the island and went back to the ship? [Exhibiting paper.]

Mr. SWINBURNE. Yes; the orders detaching me from the command, and ordering me to return to the ship.

The orders are as follows:

"U. S. S. BOSTON, SECOND RATE,
"*Honolulu, H. I., March 20, 1893.*

"SIR: In accordance with the instructions of Rear-Admiral J. S. Skerrett, U. S. Navy, commanding U. S. Naval Force, Pacific Station, you will, at 5:30 p. m. to-day, withdraw from shore one company of thirty-six men, with their officers, and repair on board the *Boston* and resume accustomed duties.

"One company, with music, colors, and proper proportion of officers, will be left at 'Camp Boston,' and you will turn over the command of the same to Lieutenant Charles Laird, U. S. Navy, who will continue the duties and routine as heretofore.

"Very respectfully,

"B. F. DAY,
"*Captain U. S. Navy, Commanding U. S. S. Boston.*

"Lieut. Comdr. WM. T. SWINBURNE,
"*U. S. Navy.*"

WASHINGTON, D. C., *Friday, January 19, 1894.*

SWORN STATEMENT OF LIEUT. COMMANDER W. T. SWINBURNE. Continued.

The CHAIRMAN. Did you have any instructions in addition to or differing from the orders under which you started from the ship?

Mr. SWINBURNE. None at all.

The CHAIRMAN. Did you understand when you left the ship that you were going ashore for the purpose of sustaining the Provisional Government then in process of organization or in expectation of organization, or for the purpose of sustaining any government?

Mr. SWINBURNE. Not at all. I had never heard of the Provisional Government. I did not know, even, that there was such a movement on foot. I knew there was a movement of some kind on foot on the part of the citizens, and my idea was that it was to get some absolute assurances from the Queen that they could depend upon in the future.

The CHAIRMAN. Your idea was that the movement was to get some assurances from the Queen?

Mr. SWINBURNE. Yes. I did not expect it would ever come to the point of dethroning her. You will notice in my testimony given before that I had called Mr. Carter's attention to that part of my orders which referred to preserving order in the town. Before Mr. Carter had asked me if he could see my orders, when he told me that certain men were going to take the Government building, in calling attention to that part of my orders, I purposely exaggerated my orders, lest he should get an idea that as these men were Americans I would give them support, since I was there to protect American interests. I called his attention to the clause which directed me to assist in preserving order. I said, "My understanding of that is that I am to assist the Queen's Government in preserving order." Of course, a request from the Queen to assist in preserving order would have to come through the minister, but I thought it was proper to exaggerate that, so that he would go

away with a complete understanding of how I stood with regard to the matter. That was the purpose of that statement.

The CHAIRMAN. Had you any purpose, or did you suspect any purpose on the part of any person concerned in this movement, either the United States minister, the United States consul, Capt. Wiltse, or any other official to establish a provisional government, or to dethrone the Queen?

Mr. SWINBURNE. Not at all.

The CHAIRMAN. You were not aware of any such purpose existing at all?

Mr. SWINBURNE. No.

The CHAIRMAN. At the time the troops disembarked—went on shore—do you know whether Mr. Stevens was on board the ship?

Mr. SWINBURNE. My impression is that he had gone on shore. I am not certain of that; but I am pretty sure.

The CHAIRMAN. When did you next see Mr. Stevens after you saw him on board the ship?

Mr. SWINBURNE. I do not remember to have seen him again until the day of his daughter's funeral, which must have been about four weeks from the date of our landing, though I can't be certain. It was not until the day of his daughter's funeral; I can not recall when that was, but it was while we were on shore.

The CHAIRMAN. Did Mr. Stevens interfere in any way with the management of the troops on shore?

Mr. SWINBURNE. Not at all.

The CHAIRMAN. Did he give any directions as to what they should or should not do?

Mr. SWINBURNE. All the directions that came to me were given to me by the captain.

The CHAIRMAN. I believe you have already stated what you know about the transaction, commencing with the time you landed. That is in your deposition?

Mr. SWINBURNE. Yes.

The CHAIRMAN. And up to the time you left——

Mr. SWINBURNE. Left Arion Hall.

The CHAIRMAN. And went down to Camp Boston?

Mr. SWINBURNE. Yes.

The CHAIRMAN. How long did you remain in Camp Boston?

Mr. SWINBURNE. A portion of the troops was there until the 1st of April—up to the time the flag was hauled down. I was detached on the 20th of March.

The CHAIRMAN. I want to call your attention to some remarks made by Mr. Willis in his reports or letters. In his letter of December 20, 1893, to Mr. Gresham, Mr. Willis says:

"The delay in making any announcement of your policy was, as you will understand, because of the direct verbal and written instructions under which I have been acting. Under those instructions my first duty was to guard the life and safety of those who had by the act of our own minister been placed in a position where there was an apparant antagonism between them and our Government. As I understood from the President and from you, the sole connection with our Government had with the settlement of the Hawaiian question was the undoing of what, from an international standpoint, was considered by the President to have been a wrong to a feeble, defenseless, and friendly power. In undoing this wrong I was, however, instructed first of all to see that proper safeguards were thrown around those who had been

probably misled as to the position of our Government and the wishes of our people."

I understand that the protection Mr. Willis speaks of here has reference to those persons who were of the party of the Queen. Now, I wish to ask you whether, while you stayed upon that island, you saw or was informed of any demonstration whatever of a hostile character toward the person of the Queen or any of her supporters?

Mr. SWINBURNE. Not that I ever heard of, any further than the dethronement of the Queen—no attempt of a personal nature against the Queen or her followers.

The CHAIRMAN. Of course, I am speaking of their personal safety and protection.

Mr. SWINBURNE. Not at all; they had the same protection that any other person had.

Senator FRYE. Did they not have more; did not the Provisional Government furnish the Queen with half her guard?

Mr. SWINBURNE. Yes.

Senator FRYE. And did they not pay off the guard to the first of the month, when they were discharged?

Mr. SWINBURNE. Yes; she had more protection than anyone else during the revolution. I never heard of a revolution carried on in that style.

The CHAIRMAN. Here is a statement in Mr. Willis's letter to the effect that the Japanese and English legations were guarded by the marines of their respective vessels, "and no American soldier has been stationed here and none will be." Do you recollect whether the Japanese and English legations were guarded during the time you were there?

Mr. SWINBURNE. Not at all. The Japanese asked permission to land a guard at the legation, and the Provisional Government, while they did not refuse, informed the minister that they were perfectly able to give them all necessary protection; and it was currently reported that the Provisional Government had given the Japanese minister permission to have a guard on shore if he wished it, but none were landed.

The CHAIRMAN. This permission of which Mr. Willis speaks must have occurred after you went back to the ship?

Mr. SWINBURNE. Yes; no foreign troops were ashore at all except our own.

The CHAIRMAN. At the time you withdrew and went on board that ship, will you say that the people of Honolulu were in a state of quietude, or in an agitated and insurrectionary state?

Mr. SWINBURNE. They were perfectly quiet; all the agitation was the conspiring of a few professional politicians belonging to the Queen's party. We could see that going on all the time.

Senator GRAY. Were there any professional politicians belonging to the other party?

Mr. SWINBURNE. When I used that expression I referred to two or three men who never seemed to have any other means of existence except as a part of the Queen's party. The Queen being out of power, they had no visible means of support.

The CHAIRMAN. I want to read you some more extracts from Mr. Willis's letter, the one I quoted from a moment ago, to see whether you can concur in the opinions he has expressed and indorse the facts which he has brought to the attention of the Secretary of State.

Senator GRAY. I will ask whether Lieut. Swinburne was in Honolulu at any time during the time that Mr Willis was on shore?

Mr. SWINBURNE. No.

The CHAIRMAN. You mean you were not on shore?

Mr. SWINBURNE. I was not there at all. Mr. Stevens was still minister when I left, and Mr. Blount was there taking testimony. You see, I left there the 11th of May.

The CHAIRMAN. And this letter I have been reading from is dated December.

Mr. SWINBURNE. Yes.

The CHAIRMAN. I now read from Mr. Willis's letter:

"The President's attention had been called by you to the evidence contained in Mr. Blount's report showing the extraordinary complications and dangers surrounding this community, among which were the racial prejudices, the intense feeling consequent upon the dethronement of the constitutional sovereign, the presence of so many different nationalities—Chinese, Japanese, Portuguese, Americans, and English—in such large numbers and with such diverse traits and interests, the possibility that the Japanese, now numbering more than one-fifth of the male population of the islands, might take advantage of the condition of affairs to demand suffrage and through it to obtain control of the Government, together with the discontent of the native Hawaiians at the loss of their Government and of the rights secured under it.

"In addition to these facts I was fully apprised by you in your personal conversations of the presence here of many lawless and disorderly characters, owing allegiance to neither party, who would gladly take advantage of the excitement and general derangement of affairs to indulge in rapine and mob violence; and also of the conflict between the active responsible representatives of the Provisional Government and certain men who were not officially connected with it, but who had undertaken to dictate its policy. The danger from this last source I found upon arriving here was much greater than you had supposed. As I stated to you in my dispatch, No. 2, of November 10, the President and ministers of the Provisional Government and a large per cent of those who support them are men of high character and of large material interests in the islands. These men have been inclined to a conservative course toward the Hawaiians.

"They had placed in the police and fire departments, and also in many other more important offices, native Hawaiians, thus endeavoring to conciliate the friendship and support of the 40,000 natives of the country. The irresponsible element referred to were pressing for a change of this wise and patriotic policy and insisting that they should be invested with all power, thus intensifying and aggravating the racial feeling already too extreme. Many of these men were open in their threats against the life of the Queen. They have even gone as far in the public prints and elsewhere as to threaten the representatives of the Provisional Government in the event they should listen to the President's supposed policy of peaceful settlement, if it involved the restoration of the Queen.

"Besides this danger, which would have been precipitated by any premature announcement of the policy of our Government, there was another danger deserving serious attention.

"The native Hawaiians, under the wise advice of their best native leaders, supplemented by that of many sympathizing foreigners, have maintained the policy of peace during the settlement of this question. While, however, they have been always known as a peaceful and law-abiding people, the evidence of the most thoughtful men in these islands, including Mr. Damon, the present minister of finance, called

attention to the fact that under proper leadership they might collect quite an effective and aggressive following; hence his opinion given to Mr. Blount while here and to me since that a strong force should be retained by the Provisional Government or else trouble might result from a sudden attack on their part."

Now, I wish to ask whether or not during the period you were there Mr. Willis has, in your judgment, correctly described the attitude of the different elements in Hawaii—Honolulu—and also the state of feeling—the temper of the people during that time?

Mr. SWINBURNE. During the time that I was on shore there seemed to be most of the time—everything was perfectly quiet—I felt there did exist a class of irresponsible men who, in the event of an outbreak, might take advantage of that to plunder or burn or destroy property, and it was that element I feared I would have to cope with when I was sent ashore to protect American interests. Those were the people I expected to have trouble with. So far as the average natives themselves—the ordinary class of natives, not the members of the legislature or leaders—were concerned, they appeared to be perfectly indifferent; they were always interested in our drills, always collected in large numbers to watch them. I could not see that they had any feeling against us whatever; they never exhibited it in any way.

The policemen throughout the city while I was on shore were natives, the majority of them. I could not see that they had any feeling against us at all. I knew quite a number of young men, half-caste young men, who were in public office. I rather thought they had a bitter feeling against our people. But I myself imagined that that came from some fancied feeling of loss of social rank through the change in the Government—such as annexation to the United States. They were half-castes; they were young men in society there (this is my own idea), and, of course, I always felt that they were more bitter at the fact of any change in the future of the islands—that the annexation of the islands to this country would change their position; they would not have as good social position as they had before.

The CHAIRMAN. Were they a respectable class of men?

Mr. SWINBURNE. Oh, perfectly so.

The CHAIRMAN. Well educated?

Mr. SWINBURNE. Well educated.

The CHAIRMAN. And might very justly entertain such expectations?

Mr. SWINBURNE. I think that was, perhaps, natural that they should feel that way, although these men were occupying positions under the Government at the time.

The CHAIRMAN. And were not removed?

Mr. SWINBURNE. And were not removed.

The CHAIRMAN. Now, taking the description given by Mr. Willis of the different factions, social, political, racial, etc., as he has described them in the extract I have just read to you, would you, in such a community as that, think it would be necessary to have some demonstration of military force in order to prevent the occurrence of outbreaks which at any other time might spring up.

Mr. SWINBURNE. Any government there would have to have a force capable of coping with the situation; they would have to keep a military force there, unquestionably.

Senator GRAY. Do you think these people are capable of self-government, as we understand it in the States. Take the whole people of the islands.

Mr. SWINBURNE. Of course, so far as the Chinaman is concerned,

he would not occupy any different position there from what he would in the States; the Japanese are a restless, turbulent class of people; they are very tenacious of what they consider to be their rights; very prompt to take part in strikes. There is a plantation near Honolulu, at Ewa, where they seem to be constantly having trouble with their laborers. The Japanese would at a fancied slight quit work and come over to Honolulu. Another point was, the Japanese Government was very anxious that their citizens should have the right to vote. There was an impression, at least that Government contended that there was an agreement, when the first contract laws were passed, that their people should have the right to vote. Of course, the laborers come there under contract, I forget now the length of time, but it could not have been more than five years; I could not see how they should have the right to vote for five years. They were looked out for by the commissioners; their rights were protected by the Japanese commissioners; although contract laborers, they are in no sense slaves; they come there under a contract for a certain length of time, and the Japanese Government sees that the contract is kept in its entirety. And moreover, they have money kept for them until their time is up.

Senator GRAY. They see that the contract is kept on their part and on the part of the contractor, too?

Mr. SWINBURNE. Yes.

Senator GRAY. Suppose the contract should be violated?

Mr. SWINBURNE. I am not sufficiently posted to give any details; but it seems to me that they say to the laborer that he is to keep his contract; that the contract should be kept so long as both parties observe its terms.

The CHAIRMAN. I desire to get from you a further explanation upon the hypothesis of the facts which I read to you from Mr. Willis' report. Do you mean to say that in a community situated as that was, the evidence of official power is essential to the preservation of order, peace, and quiet?

Mr. SWINBURNE. I should say so.

The CHAIRMAN. It would not be safe to trust the city and people in the hands of these different factions, unless they were convinced that power, force, would be used to repress any mob violence?

Mr. SWINBURNE. I do not think it would be.

Senator GRAY. You mean force outside of themselves?

Mr. SWINBURNE. Mr. Chairman, do you mean force outside of what the Government would have?

The CHAIRMAN. I mean force.

Mr. SWINBURNE. I do not think it would be possible.

The CHAIRMAN. In other words, there would have to be a force in Hawaii to keep these factions in check?

Mr. SWINBURNE. Yes.

The CHAIRMAN. Is not that a peculiar situation, and different from that in other countries? Do you know where such a condition of affairs exists or is likely to exist?

Mr. SWINBURNE. Well——

The CHAIRMAN. How is it in Panama?

Mr. SWINBURNE. Of course, in all the South American republics that I know of there is always a large standing army, and it is the army that controls politics.

The CHAIRMAN. Armies organized for the purpose of securing domestic peace and order rather than to protect against foreign enemies?

Mr. SWINBURNE. Yes; I think so.

The CHAIRMAN. That was really the function of the military organization in Hawaii?

Mr. SWINBURNE. Yes.

The CHAIRMAN. Had no reference to foreign war, offensive or defensive?

Mr. SWINBURNE. It could not do more than make an honorable stand against any foreign power whatever.

The CHAIRMAN. So that the military organization in Hawaii was simply intended for the preservation of the internal peace?

Mr. SWINBURNE. That is the way I understood it.

The CHAIRMAN. Now, was it for the purpose of assisting in that line of conduct, or was it for the purpose of making an assault upon any government or of participating in any political agitation or aiding any political party, that you went on shore with those troops in Honolulu?

Mr. SWINBURNE. My idea always has been, and was at the time, that we landed simply for the protection of American property and interests and lives; that in the event of an outbreak, any demonstration against the Queen, or any attempt to overthrow her power, there would be a good deal of lawlessness. That is a seaport town and is full of the ordinary irresponsible classes to be found in any seaport town; and at such a time as that, it would give the chance for lawless people, white or native, or whatever they might be, to plunder and fire property, probably do damage of any kind. That was my reason for desiring to be down near the wharf.

Senator GRAY. And you were there, as I understand, under your orders to preserve order?

Mr. SWINBURNE. To preserve order, to protect the property and lives of Americans.

Senator GRAY. And if a crowd of people, disorderly or otherwise, should have attempted to arrest or maltreat Mr. Damon, Mr. Dole, or Mr. Carter on that day, you would have protected them?

Mr. SWINBURNE. It would have depended upon what they were doing.

Senator GRAY. Suppose they were walking up to the Government building, as they were doing that morning, and they were set upon, would you have protected them?

Mr. SWINBURNE. If they were going to the Government building?

Senator GRAY. Yes.

Mr. SWINBURNE. I should think I would have been called upon to protect them.

Senator GRAY. I think so.

Mr. SWINBURNE. They were entitled to the liberty of the streets, but if they were organized as a force——

Senator GRAY. I say if they were going up to the Government building, as they were on that day, and were set upon?

Mr. SWINBURNE. And if I had been informed, as I was, that this party was going in to take the Government building?

Senator GRAY. Would you have allowed them to be maltreated or set upon?

Mr. SWINBURNE. That is a difficult question to answer.

Senator GRAY. I sympathize with you in it.

Mr. SWINBURNE. That would be difficult to answer.

Senator GRAY. I think so.

Mr. SWINBURNE. I am satisfied that Mr. Carter knew exactly how I stood in the matter when he went into the building; that is, I let him

understand that I was there simply to protect American property and life.

The CHAIRMAN. Did you gather the impression or belief there that any members of the Queen's cabinet were in sympathy with this political outbreak?

Mr. SWINBURNE. In sympathy with the Provisional Government?

The CHAIRMAN. Yes.

Mr. SWINBURNE. Of the Queen's cabinet at that time?

The CHAIRMAN. For the purpose of overthrowing her, or for the purpose of establishing a provisional government?

Mr. SWINBURNE. I did not.

The CHAIRMAN. Did you hear anything about members of that cabinet going to the citizen's meeting and asking for protection or asking advice as to what they should do?

Mr. SWINBURNE. Yes; I did hear that. I heard that two of them went to Judge Hartwell. Judge Hartwell is known to be a very ardent Annexationist.

Senator GRAY. Was he on the bench?

Mr. SWINBURNE. Well, he had been.

Senator GRAY. He was called "judge?"

Mr. SWINBURNE. Called "judge."

The CHAIRMAN. In point of time, did you hear that when you got on shore that day?

Mr. SWINBURNE. I heard that from the messenger who came off to Capt. Wiltse about noon. My impression is that it was Mr. Cooper.

The CHAIRMAN. He brought that information to Capt. Wiltse?

Mr. SWINBURNE. Brought that to Capt. Wiltse.

The CHAIRMAN. That two members of the Queen's cabinet——

Mr. SWINBURNE. Had come to Judge Hartwell's office and disclosed to him the fact that the Queen had attempted to—they felt that the Queen was prepared to use force—to force them to sign that new constitution.

The CHAIRMAN. Did you stand from that statement that they had asked any protection from the citizens, or had asked advice from the citizens as to what they should do?

Mr. SWINBURNE. If you want my opinion, and not what I know?

The CHAIRMAN. No. I want to know the shape in which that information came aboard the ship that morning.

Mr. SWINBURNE. It came as a warning to Capt. Wiltse that the Queen was prepared to overthrow the constitution. It was brought to his attention there. His business was to watch over American interests in the islands.

The CHAIRMAN. Mr. Cooper brought that information to Capt. Wiltse?

Mr. SWINBURNE. Yes.

The CHAIRMAN. Did it in any respect have reference to the Queen's cabinet having sought advice from the citizens against any project of hers to arrest them?

Mr. SWINBURNE. That is what I understood at the time. I know it was talked of in the town; but whether I heard it at that time or not, I do not know.

The CHAIRMAN. What I want is the information that was brought aboard the ship.

Mr. SWINBURNE. It is very difficult to separate the time when I heard these things. But I gathered the impression that day that these

men were actually afraid that they would be arrested by the Queen when they went to Hartwell's office. That was my impression that day.

The CHAIRMAN. The object of their visit to Hartwell's office was either to get advice or assistance against such expected or proposed movement on the part of the Queen?

Mr. SWINBURNE. Yes.

Senator GRAY. Was there any request came off to the ship from any other person to Mr. Stevens for the landing of the troops?

Mr. SWINBURNE. Not that I am aware of. I am certain there was a message came off to the captain that led him to make his preparations.

Senator GRAY. Do you know from whom that message came?

Mr. SWINBURNE. I do not; I judge from the American minister.

Senator GRAY. Other than the American minister?

Mr. SWINBURNE. I do not know. I judge, of course, there could not be any.

Senator GRAY. Do you recollect any note coming to Mr. Stevens on the afternoon, and while he was on the ship?

Mr. SWINBURNE. That I do not know of my own knowledge, but I heard that there was a note. I was extremely busy after I had asked Capt. Wiltse to allow the captains of the companies to be present to gather such information as they could. I left the cabin and was in and out, and there was a good deal said between the captain and the captains of the companies that I did not hear. They asked questions as to their duties under certain circumstances; I heard what they were afterward, but I did not hear at the time. I had been there long enough to know what we were to do if we landed, what my business was, and my orders were not handed to me until just before we shoved off from the ship. But we were there for the purpose of protecting American property and American interests; and my idea was to protect them against people, who, I felt, might be guilty of incendiarism, plunder, or maltreatment of unoffending American citizens. That is what I was thinking about.

Senator FRYE. Most of the buildings in Honolulu are constructed of wood?

Mr. SWINBURNE. They are most all wooden buildings.

Senator FRYE. They would make serious fires?

Mr. SWINBURNE. I know that is what the people were afraid of.

Senator FRYE. Is not that the resort of certain elements in revolutionary states when a revolution is under way?

Mr. SWINBURNE. It is.

Senator FRYE. All through the South, down in Panama and everywhere else?

Mr. SWINBURNE. I should think so.

Senator FRYE. I suppose the city of Honolulu is very much scattered?

Mr. SWINBURNE. Covers a good deal of ground.

Senator FRYE. And the Americans' houses are also scattered all over the best part of the city?

Mr. SWINBURNE. Yes; many of them up Nuuanu Valley and toward the plains, and a good many toward Waikiki?

Senator FRYE. In case of mob violence in the city, that is the property, I take it, that is pretty likely to be burned up?

Mr. SWINBURNE. Yes.

Senator FRYE. When you were about Arion Hall were you not situated as well as you could be to hit that class of property?

Mr. SWINBURNE. So far as American property was concerned I

should say that Arion Hall is as good as any other place. There were as many Americans on one side as on the other.

Senator FRYE. So far as you know, in selecting Arion Hall there was no purpose had except the protection of American life and property?

Mr. SWINBURNE. That is my understanding. At the time we were glad of a place to lie down.

Senator FRYE. One of the witnesses before Mr. Blount makes the statement that when the Provisional Government marched up and took possession of the Government building the United States marines were drawn up in array with their Gatling guns, and all that sort of thing, in sight of the Provisional Government's men who were taking possession.

Mr. SWINBURNE. I should say they were not in sight. The men were drawn up in their company parades, because I had the information before these men arrived that a policeman had been shot, and that the men were collecting on the street, and I supposed there would be a demonstration immediately. The arms were stacked and the men standing in company parades, and were ready to move.

Senator FRYE. Where were they?

Mr. SWINBURNE. My idea was to keep them as much out of sight as possible. Indeed, I had great difficulty in keeping the men in the ranks; they would slip through to the other side of the building and look over the fence to see what was going on.

Senator FRYE. In order to see what was going on they had to do that?

Mr. SWINBURNE. Had to do that, go to the front of the building—get on the porch, and look over.

Senator GRAY. Where were the Gatling guns?

Mr. SWINBURNE. In the only position in which they could be parked. The 37 millimeters, as I remember, stood on the right, on the Government house side, and the Gatling on the other side of it. They stood together where they were parked, the first night we went in, and where they remained all the time we were there—the most convenient place we could get.

Senator GRAY. Near the street?

Mr. SWINBURNE. Yes; 37 was nearest the street. It was a narrow yard. I should think that was not over 20 yards from the street; not over that.

Senator FRYE. One witness before Mr. Blount stated that it would have been impossible for the Royalist troops to have made an attack upon the Provisional men that were taking possession of the Government building, without at the same time attacking the United States troops.

Mr. SWINBURNE. I thought of that condition. I thought at the time it was untenable in the event of a fight between the two factions. I expected to have to withdraw my men from that position. I thought I would have been between the two fires; at least I was not in a good position in the event of an outbreak. I had thought of that, and expected to have removed the men.

Senator FRYE. Are you acquainted with Minister Stevens?

Mr. SWINBURNE. I had visited his house frequently while I was in Honolulu, nearly once a week.

Senator FRYE. What estimate did you form of Minister Stevens' character?

Mr. SWINBURNE. I formed the idea that he was a man of the highest character.

Senator FRYE. Did you at any time know of his saying anything in favor of the overthrow of the Queen or the establishment of a provisional government?

Mr. SWINBURNE. He certainly never did in my presence, and I do not know of his having said anything of the kind.

Senator FRYE. You were on board the ship when the ship went to Hilo, I suppose?

Mr. SWINBURNE. I was.

Senator FRYE. Did Mr. Stevens have a conversation with you while on that trip?

Mr. SWINBURNE. Not on political questions.

Senator FRYE. Did you hear of him having conversations with the officers in which he expressed the fact that he was glad peace had been accomplished and would remain for two years, as he could go home at the expiration of his term of office and leave it so?

Mr. SWINBURNE. I did not hear him say so then; but before we left the island I spoke of my reasons to Capt. Wiltse for a postponement of a trip for target practice. The captain said he was satisfied, and the minister said he was satisfied that the Wilcox-Jones ministry could not be voted out; that everything was as quiet as possible, and it was as good a time to go as could be.

The CHAIRMAN. I wish to read you some further extracts from Mr. Willis's communication to Secretary Gresham. He says: "There is, undoubtedly, in this Government a class of reckless, lawless men who, under the impression that they have the support of some of the better classes of citizens, may at any moment bring about a serious condition of affairs," but says that "the men at the head of the Provisional Government are of the highest integrity," etc.

Then he says what I have already quoted:

"The danger from this last source I found upon arriving here was much greater than you had supposed. As I stated to you in my dispatch, No. 2, of November 10, the President and ministers of the Provisional Government and a large per cent of those who support them are men of high character and of large material interests in the islands. These men have been inclined to a conservative course toward the Hawaiians."

Does that conform with your opinion of the character of the men who formed the Provisional Government?

Mr. SWINBURNE. While I was there, I should say it is an exaggeration. While there were men in the Provisional Government who I knew were in favor of more aggressive measures against the late monarchy, that is, were in favor of deporting the Queen, and while there were a great many in favor of turning out all the people who had been holding office under the late government, I do not think they could be called people who would foment trouble. They were people who were more radical, as there are in all parties—some are more radical than others—but as the statement was read there it seems to me an exaggeration of the composition of the Provisional Government party at the time I was in the city of Honolulu.

The CHAIRMAN. You are speaking now, I suppose, of the class which Mr. Willis designates as reckless and lawless men?

Mr. SWINBURNE. Yes.

The CHAIRMAN. Now, the other part, and the one to which I want specially to direct your attention, where he speaks of the men at the head of the Provisional Government as men of the highest integrity and public spirit. Do you concur in that view?

Mr. SWINBURNE. Unquestionably. I think Mr. Dole, for instance, a man who was doing in the matter what he considered to be solely his duty.

The CHAIRMAN. Now, as to character.

Mr. SWINBURNE. I think that is correctly stated as to the character of the prominent men in the Provisional Government.

The CHAIRMAN. I notice on page 57 of Ex. Doc. No. 47 this communication from yourself to Mr. Blount. It is as follows:

"HONOLULU, HAWAIIAN ISLANDS, *May 3, 1893.*

"Hon. J. H. BLOUNT,

"*Special Commissioner of United States:*

"SIR: In response to your verbal request for a written communication from me regarding certain facts connected with the recognition of the Provisional Government of the Hawaiian Islands by the United States minister to that country on the afternoon of January 17, 1893, I have to state as follows:

"On the afternoon in question I was present at an interview between Capt. Wiltse, commanding the *Boston*, who was at that time present in his official capacity with the battalion then landed in Honolulu, and Mr. Dole and other gentlemen representing the present Provisional Government, in the executive chamber of the Government building. During the interview we were informed that the party represented by the men there present was in complete possession of the Government building, the archives, and the treasury, and that a Provisional Government had been established by them.

"In answer Capt. Wiltse asked if their Government had possession of the police station and barracks. To this the reply was made that they had not possession then, but expected to hear of it in a few minutes, or very soon. To this Capt. Wiltse replied, 'Very well, gentlemen, I can not recognize you as a *de facto* Government until you have possession of the police station and are prepared to guarantee protection to life and property,' or words to that effect. Here our interview was interrupted by other visitors, and we withdrew and returned to the camp at Arion Hall. As far as I can recollect this must have been about 5 o'clock p. m. About half past 6 Capt. Wiltse left the camp, and as he did so he informed me that the U. S. minister to the Hawaiian Islands had recognized the Provisional Government established by the party in charge of the Government building as the *de facto* Government of the Hawaiian Islands. About half past 7 p. m. I was informed by telephone by Lieut. Draper, who was then in charge of a squad of marines at the U. S. consulate, that the citizen troops had taken possession of the police station, and that everything was quiet.

Very respectfully,

"WM. SWINBURNE,

"*Lieutenant-Commander, U. S. Navy.*"

You knew that?

Mr. SWINBURNE. Yes; that is practically the same as my testimony already given.

The CHAIRMAN. Have you any explanation to make in regard to that?

Mr. SWINBURNE. No; I think that is exactly the same as I have already given. Is it stated that I wrote that? I had forgotten. I thought I just gave that verbally. I wrote another communication, in which I gave distances. I would suggest that the replacing of the word "and" after "police station" and before "are prepared to guar-

antee protection to life and property" by the conjunction "or," would more nearly convey the captain's idea as I then understood him.

SWORN STATEMENT OF LIEUT. DE WITT COFFMAN.

Senator GRAY. You were an officer on board the U. S. S. *Boston* in Honolulu on the 13th, 14th, and 15th of January, 1893?

Mr. COFFMAN. I joined the *Boston* on the 14th; I was on her on the 15th, and landed on the 16th.

Senator GRAY. You were connected with the *Boston*?

Mr. COFFMAN. Yes.

Senator GRAY. What was your position?

Mr. COFFMAN. Lieutenant and division officer on the *Boston*.

Senator GRAY. Had you command of one of the companies of the battalion which landed on the 16th?

Mr. COFFMAN. Yes.

Senator GRAY. Mr. Coffman, with whom I have had a conversation, agrees with all that has been said by Mr. Swinburne and the other gentlemen who preceded him in regard to the landing of the troops and the instructions of Capt. Wiltse. I only called him here for one purpose and one fact.

You were captain of one of the companies of the battalion which landed?

Mr. COFFMAN. Yes.

Senator GRAY. As such captain were you summoned to the cabin of Capt. Wiltse on Monday the 16th, before you landed?

Mr. COFFMAN. Yes.

Senator GRAY. Who were present?

Mr. COFFMAN. Capt. Wiltse, Minister Stevens, Mr. Swinburne, Lieut. Laird, Lieut. Young, Lieut. Draper, of the Marine Corps, and I think those were all, unless there were some of the junior officers, whom I do not remember—some of the midshipmen.

Senator GRAY. While you were there was there any communication received from shore and communicated by anyone to Capt. Wiltse?

Mr. COFFMAN. Yes.

Senator GRAY. State what you know about it.

Mr. COFFMAN. While in the office, or rather in the captain's cabin, after the consultation, or rather after the instructions were given to the officers, and about the time we were about to leave the cabin——

The CHAIRMAN. This was on Monday?

Mr. COFFMAN. On Monday—Cadet Pringle came to the cabin——

Senator GRAY. Who was Cadet Pringle?

Mr. COFFMAN. He was a cadet on the *Boston*, and was serving as an aid to Minister Stevens at the time. He came into the cabin and handed to Minister Stevens a communication, which Mr. Stevens afterward read. It was from Mr. Thurston. It stated that they were holding a mass meeting; that it was a success; that there was a great crowd present; that the natives had held a mass meeting, had ratified the proclamation, and had gone home quietly; and it stated if the troops are to be landed, "I advise that they be landed at once." We went ashore about an hour afterward.

Senator FRYE. Have you read the testimony of Lieut. Young or Lieut. Laird?

Mr. COFFMAN. No; I have not seen Mr. Laird's testimony at all.

The CHAIRMAN. Do you mean before this committee?

Senator FRYE. Yes. Or the testimony of Mr. Swinburne?

Mr. COFFMAN. I read Lieut. Commander Swinburne's testimony; yes. I spoke about it to Mr. Swinburne, and he said he was probably not in the cabin at the time, as he had so much to do.

Senator FRYE. Whom was the note from?

Mr. COFFMAN. Mr. Thurston.

The CHAIRMAN. And addressed to Mr. Stevens?

Mr. COFFMAN. Cadet Pringle brought the note.

Senator FRYE. And he was a messenger from Mr. Thurston?

Mr. COFFMAN. Yes. He had been at the legation most of the time.

Senator FRYE. Which company were you with; where did your troops go?

Mr. COFFMAN. With the main battalion—the blue jackets.

Senator FRYE. To Arion hall?

Mr. COFFMAN. Yes.

Senator FRYE. Was it not for the protection of life and property, when you took into consideration the state of the city, the situation of the houses, etc., as central a place for their protection as any you could find—I mean Arion Hall?

Mr. COFFMAN. I do not know what you would call a central location.

Senator FRYE. Were not the houses of American citizens on one side as well as on the other side of Arion Hall?

Mr. COFFMAN. I think there was more American property on Nuuanu avenue, not in the immediate vicinity of Arion Hall.

The CHAIRMAN. By American property, do you mean business houses?

Mr. COFFMAN. Business houses and private residences.

Senator FRYE. Private residences, I mean. They are more likely to be burned up?

Mr. COFFMAN. Yes. I really do not know much about the ownership of property in Honolulu, with the exception of that which is the property of those who claim to be Hawaiians, who, to a certain extent, are of American parentage, and a few Americans.

Senator FRYE. Were maps left with the captain?

Mr. COFFMAN. That I do not know.

Senator FRYE. And the instructions were, as you understood them, to protect American life and property?

Mr. COFFMAN. Yes.

Senator FRYE. That you were not to be connected with either government, the establishment of one or the overthrow of the other.

Mr. COFFMAN. That I do not understand. I went as an officer simply to obey the instructions as I received them.

Senator FRYE. And having read Capt. Swinburne's statement, you concur otherwise in what he said?

Mr. COFFMAN. I have only seen what he said as published in the papers. The Evening Star has a different account from that in the Baltimore Sun. I tried to get something out of it, but it was somewhat mixed.

Senator GRAY. When you said you read Capt. Swinburne's testimony you meant that you read the newspaper accounts?

Mr. COFFMAN. I have not read the testimony before the committee; I have not seen it.

Senator GRAY. You have talked it over with Lieut. Swinburne?

Mr. COFFMAN. Yes; the general situation.

Senator GRAY. Do you differ?

Mr. COFFMAN. We do in some minor points.

Senator GRAY. State the minor points in which you differ.

Mr. COFFMAN. I thought that the battalion was badly placed, if they were there for the sole purpose of protecting American life and property.

Senator GRAY. Do you differ in any other respect?

Mr. COFFMAN. Lieut. Swinburne differs with me as to where was a central place. I will give my reason: If there was to be trouble, that was the place where the trouble would be; and I did not see why we should go to the point where the trouble would occur if persons who were engaged in this trouble should go to that place and claim to be Americans and ask for protection. That is my point. That is the only thing we differed about at all—the mere fact of statements as to where we went and what was done. Mr. Swinburne has, I know, from talking to him time and again, given the facts. We agree on those things.

SWORN STATEMENT OF WILLIAM BREWSTER OLESON.

Senator FRYE. What is your age?

Mr. OLESON. I am 43.

Senator FRYE. How long have you been living in the Hawaiian Islands?

Mr. OLESON. I have been living there fifteen years.

Senator FRYE. What fifteen years?

Mr. OLESON. From August, 1878, until June, 1893.

Senator FRYE. Were you in Honolulu through the entire revolution—the recent revolution?

Mr. OLESON. I was.

Senator FRYE. And through the revolution of 1887?

Mr. OLESON. Through the revolution of 1887; yes.

Senator FRYE. What has been your business in the Hawaiian Islands?

Mr. OLESON. I have been a school-teacher during my residence there.

Senator FRYE. What charge have you had?

Mr. OLESON. Two schools. I was appointed to one before I left this country on the large island of Hawaii, and of the Kamehameha Manual-Labor School at Honolulu in 1886. Mrs. Bishop, the last of the Kamehameha royal line, known as Princess Pauahi, left a large sum of money, some half million of dollars, to establish a manual-training school at Honolulu.

The CHAIRMAN. Mr. Bishop seems to have been a man of great wealth?

Mr. OLESON. Yes.

The CHAIRMAN. Do you know whether he accumulated his wealth in Hawaii?

Mr. OLESON. Yes.

The CHAIRMAN. In what business was he employed?

Mr. OLESON. Commission business at first, and most of the time in the banking business. I think he got the most of his money, or at least he got the large nucleus of his capital, during the whaling days.

The CHAIRMAN. He was not connected with planting?

Mr. OLESON. Not planting; but he is a stockholder.

The CHAIRMAN. In sugar companies, you mean?

Mr. OLESON. Yes.

The CHAIRMAN. What companies?

Mr. OLESON. Several. He had more stock in the Lihue company. I think sugar stock in the islands is like railway stock here.

The CHAIRMAN. Where was Mr. Bishop originally from?

Mr. OLESON. He came from New York State.

Senator FRYE. Have you reduced to writing an account of the proceedings in the Hawaiian Islands during the disturbing times, to which you are willing to testify?

Mr. OLESON. I have. I thought likely I might be called upon for something of the kind.

Senator FRYE. You may read it as part of your testimony.

Mr. OLESON. I have made this as personal and as specific as possible.

Senator GRAY. And it includes matters within your own knowledge?

Mr. OLESON. Yes; I have said nothing here that I was not personally cognizant of, unless it may be some deductions based on what I was personally cognizant of.

STATEMENT OF WILLIAM BREWSTER OLESON.

Have been a resident of the Hawaiian Islands since August, 1878. Went there from Ohio. During my residence of fifteen years was engaged in educational work among Hawaiians, first as principal of the largest school on the island of Hawaii, and later as organizer and principal of the Kamehameha Manual Training School, established by bequest of Princess Panahi, the last of the Kamehameha royal line.

My fifteen years' residence brought me into close contact with Hawaiians, first at Hilo, and later at Honolulu. Have known, by personal observation, of the changes that have taken place in the political history of Hawaii since 1878, and was present in Honolulu during the revolutions of 1887, 1889, and 1893, being an eyewitness of those events.

Have never held any office or appointment under the Hawaiian Government, and never acted in an official capacity, except in 1887, when, as a member of the committee of thirteen, appointed by the mass meeting of citizens, I went with others to present the demands of the citizens to the King, Kalakaua. My evidence is that of a citizen who knew what was in the minds of the people.

Attended the prorogation of the legislature, Saturday, January 14. I had the impression that it was to be an historic event. I do not know to what I am to lay the impression, except that things were culminating. I had not been in the habit of attending the prorogation of the legislature, having been there only once prior to that time. Noted the absence of the better class of citizens, and of many of the most upright legislators. Later, met some of the legislators on the street, who said, in reply to my question, "What are we going to do?" "We have done all we could in the legislature, and we can do nothing more."

This was the common feeling. Men were disheartened at the dismissal of the Jones-Wilcox cabinet and the passage of the lottery bill, but no one thought of anything else but submission to the inevitable until the next Legislature should meet two years after. It was hoped that the supreme court might decide the lottery bill to be unconstitutional, but I know there was no thought of organized opposition to the Government.

The foreign population that had been united in 1887 in the movement for a new constitution had lost its cohesion through the operation of several causes.

Notably among these was the anti-Chinese agitation, which enlisted the mechanics and tradesmen against the planters and their sympathizers. So long as the foreigners were united they were able to guide the legislation and administration of the Government. When they became divided the leaders of the anti-Chinese agitation joined forces with the natives, and the political leadership fell into the hands of men who had little sympathy with the reform movement of 1887. I wish to state here that when I say foreigners I mean voters in the Hawaiian Islands of foreign extraction, and when I say natives I do not intend to raise any race question, but simply to show that the majority in Honolulu were natives.

The depressing effect of this division was apparent in January. Men despaired of accomplishing anything through organization, and many went to the mass meeting January 16, believing that it would accomplish nothing because of lack of unity. This fact accounts in a measure for the guarded utterances on that occasion. The speakers and the committee of safety were uncertain as to how far they would have the support of the citizens.

I know that the report about the city the forenoon the meeting was held, that Marshal Wilson had forbidden citizens to meet at the armory, created strong feeling and aroused opposition that vented itself in increasing the attendance.

I know that the speakers, with a possible exception, did not voice the indignation of the citizens. During the meeting, and afterwards on the street, men were angry that the resolutions were so tame. It was not until attention was called to the large powers voted the committee that men became satisfied that something adequate would be done to restore public confidence.

The emergencies of 1887 and 1889 had prepared the citizens for decisive action. Word went around, "Have your rifle ready."

Col. Fisher, the real, though not nominal, head of the armed forces of the Provisional Government, told me on Monday afternoon, January 16, "I can get about a hundred of my men out with rifles in ten minutes." Monday afternoon there was suppressed excitement throughout Honolulu. The marshal's antagonism to the gathering of the citizens, the manifesto issued by the cabinet, the counter-meeting to allay excitement, the determination of the citizens at the meeting at the armory, were all cumulative, indicating the certainty of collision, and emphasizing the fact that the city was nominally in the control of a government not having the respect or confidence of its influential citizens, who were at work taking steps to secure for themselves what they otherwise despaired of getting. I know that there was great apprehension of disorder and incendiarism that night.

The landing of the troops allayed this.

Tuesday, January 17, I went into Honolulu (my residence being nearly 2 miles from the city), and learned that definite action was to be taken by the committee of public safety at about 2 o'clock. This was at 1:30 p. m.

I went directly to the office of W. O. Smith, where the committee were in consultation. At the door I learned that the committee would go to the Government building at 2 o'clock to take possession, and that their supporters were to rally at the same hour at the armory. The streets were filled with groups of men earnestly canvassing the situation, and there was a general purpose to stand by the committee at any cost. Men were going home for their rifles and clerks in stores were hurrying to close up.

Starting for the armory, I heard a pistol shot close at hand, around the corner of Fort and King streets, and presently saw a policeman running to the police station with his hands on his chest, where he had been shot in attempting to capture a wagon load of ammunition.

I believe that shot decided the contest. It certainly distracted the marshal and his forces, for they forthwith shut themselves up in the police station instead of proceeding at once to quell the uprising. It revealed the determination of the citizens and resulted in a rapid massing of their forces.

From this time, 2:15 p.m. (that I will not be absolutely positive about, but I judge it is very nearly correct), until the surrender of the police station at about 7 o'clock, citizens were hurrying with their rifles from every part of the city to the Government building, *passing through the streets unmolested by the forces under the marshal, or by the soldiers at the barracks.*

These men could have been arrested easily except for the panic that had seized the supporters of the old Government.

Marshal Wilson and his supporters remembered the spirit shown by these same men in 1889, when they rallied in a similar way, and, without organization, by their courage and promptness, suppressed the Wilcox insurrection.

Senator GRAY. Are you quoting Marshal Wilson there?

Mr. OLESON. No; I say undoubtedly, he remembered that. He remembered the spirit of those men, and that was the reason for the panic.

After the incident of the shooting I hurried to the armory, but before reaching there met Capt. Zeigler with about 40 men marching down Punchbowl street, in military order, all armed, toward the Government building. Just as I reached the armory another company marched in the same direction. There were about 30 men in the latter company.

At the armory there were more men, and others constantly reporting, some with arms, others without, the latter being furnished both with arms and ammunition. As soon as a squad got together Col. Fisher, in charge, sent them to the Government building in charge of officers.

After noting these matters I went past the barracks, noting that the soldiers were all out of sight. When I reached the Government building the last words of the proclamation were being read. The citizens whom I had seen marching from the armory were at the Government building and guards had been stationed. There must have been a hundred men at that time, and they came trooping in from all directions until the station house surrendered. At that time I should estimate there were 4 companies of 60 men each, every man well armed, and the whole well officered.

The United States troops were not in sight when I reached the Government building, with the exception of their two sentinels, and did not show themselves or make any demonstration after that.

I know that the men in the ranks had no expectation of any aid whatever from United States troops. In 1889 they had fought all day against a determined insurrection, with United States troops within a stone's throw, drawn up in line, but absolutely neutral, and they knew they had nothing to expect in 1893 but the same absolute neutrality.

I know by conversation with men in the ranks that they realized that everything depended on their own courage. I know men who, as in 1889, on their own hook, had banded together to occupy buildings in the neighborhood of the police station, intending to lay siege and cut it

off from supplies. The feeling among the citizens was one of indifference towards the United States troops as not being an element in the conflict. I speak of the sentiment and conviction of men on whom was to fall the brunt of the conflict.

I did not learn that Minister Stevens had recognized the Government until the next day, and I am quite sure that it was not generally known until then among the armed supporters of the new Government. I did not hear the matter mentioned, though I was constantly among the men. They were talking rather about laying siege to the station house and about the likelihood of several days' desultory fighting under cover.

There was no mention about the soldiers in the barracks. I explain this as a very natural ignoring of them as combatants in the light of their performances in 1887 and 1889, when they had shown themselves averse to conflict. The citizen soldiers treated them absolutely as though they had no existence.

Senator FRYE. That is the Queen's guard you are speaking about?

Mr. OLESON. Yes.

The conviction was that the citizens were masters of the situation as soon as they took possession of the Government building, and that possession of the other buildings was sure to come as a matter of course.

This conviction was based on the evident panic that had seized the forces under the marshal's command, and on the belief that there was no concert of action among the leading adherents of the Queen, and no fighting material behind them.

In the movement of 1887 I was opposed to the project of a republic, deeming it better to secure safeguards under a continuation of the monarchy.

I have been a consistent supporter of the Hawaiian monarchy, in public and in private, out of deference to the prejudices of the aborigines. It seemed wise to avoid any such radical change until it was actually thrust upon the community by the inevitable collapse of the monarchy.

The events of Saturday, January 14, convinced me that there was no option left to the intelligent and responsible portion of the community but to complete the overthrow initiated by the monarch herself. It was essentially either a return to semibarbarism or the continued control of the country by the forces of progress and civilization, and few men hesitated in making the choice, and the development of events has confirmed their decision.

Senator FRYE. You made a more general statement at Worcester.

Mr. OLESON. No; at Boston.

Senator FRYE. Have you that in print?

Mr. OLESON. It was printed, but not by me.

Senator FRYE. You have it in print?

Mr. OLESON. Yes.

Senator FRYE. I have looked over the statement just referred to, and I would like, Mr. Oleson, to put that in as additional testimony. It is a little broader than that just read.

Senator GRAY. I do not like to object, because we have large latitude; but when a witness is before us, and has read a statement which he has carefully prepared, he should stand on that, and not put in statements that he has made at a public meeting.

Mr. OLESON. This is to explain. It is quite different from the one I have just made. This is a sort of general consideration of the causes leading up to this change. It goes back to twenty years ago.

Senator GRAY. It does not relate to these three important days.

Mr. OLESON. It touches upon those days very little indeed.

Senator FRYE. It touches it only so far as to indicate that this thing was of gradual growth. As we have been taking testimony this is undoubtedly admissible. It is nothing that you would object to.

Senator GRAY. I withdraw my objection.

The CHAIRMAN. Do you confirm the statements made in that paper?

Mr. OLESON. Yes; I would say that I have incorporated facts here that I was not cognizant of. That is not the case with my statement just read. But such facts have gone on record in the papers and records of the Legislature.

The CHAIRMAN. So far as the statements in that paper are within your knowledge they are true?

Mr. OLESON. Exactly.

The statement is as follows:

"SOME ELEMENTS IN THE POLITICAL EVOLUTION OF HAWAII.

"At a recent meeting of the Congregational Club, in Horticultural Hall, Mr. William Brewster Oleson read a very interesting paper on Elements in the Political Evolution of Hawaii, as follows:

"I shall confine myself on this occasion to the period of twenty years ago, from January, 1873, to January, 1893. I shall also limit myself to a mere allusion to the more salient events in that brief period of constitutional development.

"An important factor in the political evolution of Hawaii was furnished by the career of Kalakaua, the immediate predecessor and brother of Liliuokalani.

"In 1873 he advocated his election to the vacant throne by promising to abolish the poll tax, to fill all Government offices with natives, and to remove the prohibitions on the sale of liquor to the aborigines. He was unpopular with his own people, and his rival, Lunalilo, was enthusiastically elected King.

"Soon after Lunalilo died, and on February 12, 1874, Kalakaua was elected King by the Legislature. It was charged, and generally believed, that he was elected by the use of bribes. It is sufficient here to say that he was protected from a mob of his own people, for a period of five days after his election, by United States troops.

"During his reign he dismissed capable and upright officials and filled the civil service with political adventurers, who brought scandal to every department of the Government. He caused grogshops to be licensed in the country districts against the protests of his own people.

"He raised the cry, 'Hawaii for Hawaiians,' hoping thus to curry popularity by exciting race jealousies against foreigners. He sought to create a state church of which he should be the head. His visits to the other islands were utilized for the recrudescence of lascivious orgies of the old heathen religion. He rehabilitated the trade of sorcery, and turned the influence of the Kahunas to his own political advantage.

"He stationed soldiers with side arms in double rows at polling places, thus intimidating voters and pushing men out of line who were suspected of opposition to his schemes, thus forcibly preventing their voting. He appointed legislators to lucrative Government positions while they continued to retain seats in the Legislature.

"He had the Legislature in 1886 adjourn for three weeks so that members who were tax assessors might go home and perform their duties. These men he employed to carry through the Legislature pernicious and extravagant legislation in opposition to the sentiment of the people. He used the royal franking privilege to pass through the custom-

house, free of duty, liquors belonging to certain firms, thus, in one instance, defrauding the Government of revenue to the amount of $4,749.35.

"For this service he received hundreds of cases of cheap gin, which he sent to every voting precinct to secure the election of his candidates to the Legislature. He went personally to one country district, with a company of soldiers, and by their votes defeated Pilipo, the lion of North Kona, Kalakaua's staunchest opponent in the Legislature.

"He laid claim to the 'primacy of the Pacific,' and sent royal commissioners to the New Hebrides and Gilbert Islands and Samoa to prepare for a Hawaiian protectorate over those islands. He warned the great powers of Europe, in a grandiloquent protest, against any further annexation of islands in the Pacific Ocean, claiming for Hawaii exclusive right 'to assist those islands in improving their social and political condition.'

"Finally, he accepted a bribe of $71,000 from a Chinaman, named Aki, for an opium license, which he had already sold and delivered to another Chinaman, who had paid $80,000 for it.

"'I his career of Kalakaua's had a twofold effect, viz, of arranging in increasing antagonism and bitterness the progressive and retrogressive elements in the population, and of bestowing leadership, on one hand, on the servile partisans of the King, and, on the other, on intelligent Anglo-Saxons, who have, from that time to this, counted as their adherents the more stalwart and independent Hawaiians.

"Another element in the political evolution of Hawaii has been the decay of the native race.

"The census of 1823 showed the population to be 130,313. According to the census of 1890 the native Hawaiians numbered 34,436, a decrease since 1823 of 95,877. The annual decrease since 1866 has averaged 1,085. Thus, since 1860, when the native Hawaiians numbered 66,984, the decrease has been 50 per cent.

"The native Hawaiians now number about one-third of the population. Thus the total population in 1890 was 89,990, of which the Hawaiian numbered 34,436, the Chinese, Japanese, and Polynesians 28,249, and the white foreigners, many of whom were born in the land, 27,305. This decrease of Hawaiians and the corresponding increase of foreigners have depressed the native race, but with an opposite effect on the two radically diverse wings. Thus, on those more susceptible to the corrupting influences of the throne who have fallen into dissipation, and who are seeking their own personal advancement at the expense of all political morality, this alarming decrease has had the effect of exciting intense race hatred.

"Of those, however, who are allied to the churches, who have been stalwart in their resistance to Kalakaua's demoralizing influences, who are to-day the personification of the character and conscience of this remnant of a race, this decrease has had the effect of drawing them into closer and trustful fellowship with the better class of Anglo-Saxons.

"Another element in the political evolution of Hawaii has been the growth of the Anglo-Saxon population, which has naturally resulted in the bestowment of political privileges, not otherwise enjoyed even by the Hawaiian people themselves.

"This foreign population pays four-fifths of the taxes. It has furnished the capital and skill in the development of every business and industrial enterprise in Hawaii. It is a resident population, with permanent homes and schools and churches and libraries, and social,

commercial, and industrial organizations. Under its influence the instruction in all the schools is in the English language. It has its chamber of commerce, its social science association, its historical society, its banks and railroads, and electric lighting, and manual training schools, and benevolent organizations, and elemosynary institutions. It constitutes the intelligent, progressive, patriotic, governing ability of Hawaii. Hawaiian churches and schools, and every good work among them, rely on this foreign population for financial assistance.

"The best elements among Hawaiians have in the past twenty years uniformly cast in their lot with the white foreigners, and have grate fully accepted their leadership.

"This foreign population did not possess suffrage rights until 1887. Under the comparatively wholesome reign of the Kamehameha dynasty there had arisen no occasion for foreigners to feel the need of suffrage rights to protect their interests.

"The career of Kalakaua led to several indignation mass meetings. The first, in August, 1880, protested against the summary dismissal, at 1 o'clock in the morning, of a worthy cabinet, having a majority of twenty-four in the legislature. This cabinet was dismissed at the instance of Claus Spreckels, because it would not permit his acquisition of certain Government water privileges in defiance of public interests.

"Two days later another mass meeting compelled the dismissal of the infamous Moreno ministry.

"On June 30, 1887, the patience of the foreign element having exhausted itself, an enthusiastic mass meeting passed resolutions to the effect 'that the administration of the Hawaiian Government has ceased, through corruption and incompetence, to perform the functions and afford the protection to personal and property rights, for which all governments exists, and exacting of the King specific pledges, within twenty-four hours, of future good conduct on the basis of a new constitution.

"The constitution of 1887, subsequently signed by the King, in conformity with the demands of this mass meeting, made 'every male resident of Hawaii, of American or European descent, after one year's residence, a legal voter.' Other privileges were conferred, distinctly enlarging the measure of Hawaiian citizenship, and effectually removing the throne from interference in the Government.

"This arrangement deferred to the traditions of the land, retaining the King as a figurehead, while it placed the responsibility for the Government on a cabinet subject to removal by vote of the Legislature elected by the people.

"Emerging thus from an era of bombastic display and political corruption and gross immorality, for six years Hawaii had a wise administration of affairs.

"Liliuokalani abhorred the constitution of 1887, and after she came to the throne, at the death of Kalakaua, sought to recover the ancient prerogatives of the throne. January of this year, after being baffled in her attempts for months by the majority in the Legislature, found Liliuokalani ready to resort to drastic measures.

"She secured enough votes to oust the best cabinet Hawaii had enjoyed, by agreeing on her part to sign the odious lottery bill. She appointed a ministry in sympathy with her desire for absolute power, prorogued the legislature, and undertook in the presence of her armed

troops to abrogate the constitution of 1887 and to promulgate a new one, making her well-nigh an absolute monarch.

"This lead to the great mass meeting of January 16, 1893, which took steps to organize a new government and to seek annexation to the United States.

"In all their efforts since 1880 to gain reasonably good government and, having gained it, to retain it, the foreign population have never had the slightest aid from any foreign government, either by force of arms or by stroke of diplomacy.

"In 1889, when the police and royal troops proved unreliable and the citizens had to rally and suppress a thoroughly organized rebellion, they learned that the forces of law and order were not to expect, even in such crises, the slightest aid from United States troops, although those troops were ashore and under arms all day in close proximity to the scene of conflict.

"If a timid man, last January, was frightened and hoped for aid and protection from United States troops he had nothing to base that hope upon. The aroused citizens were better prepared to cope with the Queen's forces last January than in 1889, when they so successfully quelled the Wilcox insurrection; and, moreover, the Queen and her cabinet knew it, and discreetly avoided a conflict. Men in the ranks who had the fighting to do knew they must do it themselves. Any other representation is false to facts, which can be amply demonstrated.

"Granting that Mr. Blount sought an honest and impartial verdict on the circumstances attending the establishment of the Provisional Government, the nature of all the evidence submitted is such that another man, equally just and impartial, could have arrived, legitimately, at a diametrically opposite conclusion, with an abundance of facts to establish it.

"This foreign population, that has been such a potent factor in the political evolution of Hawaii, has never taken united action except in behalf of good government. It has been moderate in its demands, humane in its action, patient with the frailties of an effete monarchy, and uniformly considerate of the political rights of native Hawaiians.

"Twenty years of progressive participation in public affairs prepared the foreign population, when the monarchy collapsed, to assume the responsibility for initiating stable and efficient government in the interests of all. This it has courageously undertaken, and with a remarkable measure of success, while awaiting the decision of the United States on the proposal for annexation. It must be borne in mind that the United States was not requested to adjudicate domestic differences in Hawaii, nor was that the ground on which the Provisional Government was accorded recognition by all the civilized nations. Because of its peculiar relations to Hawaii, covering a period of fifty years, this great country was appealed to to provide a basis for progressive, responsible, republican government.

"Such an evolution as I have briefly outlined has crystallized antagonisms and prejudices which it will take years to dissolve, and which would menace and imperil any purely independent national existence. The liability to political unrest, if not actual revolution, would prove as disastrous to Hawaii as in so many instances it has proved to Central American republics.

"The situation is so peculiar as to call for the fostering supervision of some strong foreign power under which it would be possible for an efficient and progressive government to grow up, advantageous alike

to Hawaii and the commercial and humanitarian interests of that vast ocean.

"Such a protective relation the United States has officially declared it will not permit any other nation to assume toward Hawaii. The progress of events demonstrates that, sooner or later, foreign intervention from some quarter is inevitable. If the United States insists that no other nation shall assume the responsibility of guaranteeing in Hawaii the blessings of civilized government, that responsibility the United States is morally bound to accept itself.

"BOSTON, *November 29, 1893.*"

Senator GRAY. You say that you arrived at the Government house on the 17th when the last words of the proclamation of the Provisional Government were being read?

Mr. OLESON. Yes.

Senator GRAY. And that you observed about 100 men there?

Mr. OLESON. I immediately went into the Government yard and looked about. I should say that there must have been 100 men inside and outside the building.

Senator FRYE. Armed men?

Mr. OLESON. Yes.

Senator GRAY. I understand you did not count them?

Mr. OLESON. No; did not count them. But I have been used to seeing military companies.

Senator GRAY. As there have been other estimates, I want to understand whether you counted the men there.

Mr. OLESON. No; I did not count them.

Senator GRAY. Did you that afternoon go over to Arion Hall, where the United States troops were?

Mr. OLESON. No; they did not make the slightest impression——

Senator GRAY. I asked if you went over there.

Mr. OLESON. No. Coming down Richard street Arion Hall is in full view. I did not see any troops, as I say; I saw but 2 sentries. Richard street is to the west of the palace. If you have a map here, I will trace my course. Here [indicating on the diagram] on the corner of King and Bethel streets was the point from which I started. I went along King to Fort street. I went down to the corner of Merchant, to Mr. Smith's office; came back Fort street to King street to the spot I started from, to see some friends. I came here [indicating], nearly to the corner of King and Fort streets, when I heard the shot. Then I went up Fort street to Hotel street and came through Hotel street to Palace lane. Coming along Hotel street, I went up Palace lane past the barracks. This [indicating] is Palace lane. I went through here up to Punchbowl street; up Punchbowl street to Beretania street, where the armory is. As I arrived here on Palace lane, in full view of Punchbowl street, Capt. Ziegler was passing—going down Punchbowl street. When I got up to the corner of Punchbowl and Beretania there was another company started down Punchbowl street. I went into the armory and shortly afterward came down Punchbowl street to Palace lane, and noted that there were none of the royal soldiers in sight; came down Richard street, and in coming down Richard street Arion Hall is in full view, back of the opera house. I came down through Richard street to Palace Square, down through that little lane [indicating], and went into the Government yard.

Senator FRYE. And all the troops that you saw at Arion Hall were the 2 sentries?

Mr. OLESON. Yes. They may have been there, but I did not see them, and I think I should have seen them. I was walking down Richard street with Prof. Scott, and we were talking about the situation and hurrying toward the Government building. We might have been in conversation, and for that reason not have seen them. But my impression is they were not there.

Senator FRYE. Not in view.

Mr. OLESON. No.

Senator GRAY. Did you know at that time that the soldiers were stationed there?

Mr. OLESON. Oh, yes; I knew they were there.

Senator GRAY. And you did not look to see if they were there?

Mr. OLESON. No. I know they landed the night before and stopped on Mr. Atherton's grounds the night before.

Senator GRAY. Who is Mr. Atherton, an American?

Mr. OLESON. Yes.

Senator GRAY. Where is his house?

Mr. OLESON. He is a commission merchant.

Senator GRAY. Will you point out his house?

Mr. OLESON. It is right out on King street.

Senator GRAY. Has it large grounds around it?

Mr. OLESON. Yes—another house here [indicating], and then his grounds go clear through—extensive grounds.

Senator GRAY. Were you out there when the troops were there?

Mr. OLESON. I went out when they were there; yes.

Senator GRAY. That was on Monday evening?

Mr. OLESON. That was on Monday evening.

Senator GRAY. Were you there when they marched away?

Mr. OLESON. I was not; no.

Senator GRAY. Did you see Mr. Stevens that day?

Mr. OLESON. No.

Senator GRAY. Of course you had no conversation with him if you did not see him?

Mr. OLESON. I did not see him after his trip to Hawaii.

Senator GRAY. Did you know many of these men whom you saw with arms around the Government building that day?

Mr. OLESON. I lived outside of the city; I know a good many men, having little to do with the affairs of the city; I know a good many by name. I know a good many of them were engaged in the revolution of 1887 and 1889.

Senator GRAY. Did you talk with any of them that day?

Mr. OLESON. Yes; while we were at the Government building.

Senator GRAY. How many of them?

Mr. OLESON. I went from one group to another to see what the sentiment was.

Senator GRAY. The men were in groups?

Mr. OLESON. Yes.

Senator GRAY. Not in military array?

Mr. OLESON. A large guard and two companies in line; the others were in the Government building, with arms stacked in the legislative hall.

Senator GRAY. They were the men you talked to?

Mr. OLESON. Yes; not the men in line.

Senator GRAY. Not the men in the line?

Mr. OLESON. I talked with some of them.

Senator GRAY. Whom?

Mr. OLESON. Mr. Adnerson, who was one of my teachers. He was in one of the companies. I had special permission to go to the gate to see some friends who called to see me.

Senator GRAY. Were you under arms?

Mr. OLESON. I was under arms; yes.

Senator GRAY. Were you attached to any company?

Mr. OLESON. I was attached to one of the companies; yes.

Mr. GRAY. Were you walking around all this time while you were under arms and attached to a company.

Mr. OLESON. I did not get my rifle until just before the police station was surrendered; so I was not in line with the other men until that time. I had reported and had been assigned to a company.

Senator GRAY. But you were still walking around among the people and around the Government building?

Mr. OLESON. We were allowed to do that; yes.

Senator GRAY. Were you in Honolulu when the troops were landed Monday evening?

Mr. OLESON. I was not in the city.

Senator GRAY. You did not see them when they landed and marched out?

Mr. OLESON. No.

Senator GRAY. It was afterward you heard they were there and went out?

Mr. OLESON. Yes; I saw them in the evening, in Mr. Atherton's yard.

Senator GRAY. And you saw them in Arion Hall?

Mr. OLESON. I heard the next day that they were in Arion Hall.

Senator GRAY. I thought you said you were there when the troops marched back to Arion Hall?

Mr. OLESON. No; I just dropped off a horse car that evening where the troops were. I stopped to see what they were doing there. I asked the people what they were about, what the troops were there for, and the people did not seem to know.

Senator GRAY. Did you not know they were there before you started out in the horse car?

Mr. OLESON. No.

Senator GRAY. Where were you going?

Mr. OLESON. Out to make a call, I think.

Senator GRAY. Where?

Mr. OLESON. I think I went out to Mr. W. A. Bowen's, a friend of mine.

Senator GRAY. Where does he live?

Mr. OLESON. It is a street that runs parallel with King street—the second street to the north, running parallel to King street.

Senator GRAY. How far out—past Mr. Atherton's?

Mr. OLESON. Oh, yes.

Senator GRAY. Beyond Mr. Atherton's?

Mr. OLESON. Yes; quite a distance beyond.

Senator GRAY. And you got out when you got to Mr. Atherton's for the purpose of seeing the troops?

Mr. OLESON. Yes.

Senator GRAY. How long were you there?

Mr. OLESON. Just a few minutes.

Senator GRAY. Then you went on and made your call?

Mr. OLESON. Yes.

Senator GRAY. Did you come in on the horse cars? When you came in did you see the soldiers?

Mr. OLESON. I think I came in on the Beretania street line, the next street running parallel with King street.

Senator GRAY. And you did not see the soldiers?

Mr. OLESON. No.

Senator GRAY. And you did hear where they were?

Mr. OLESON. No.

Senator GRAY. You did not hear until the next day, Tuesday?

Mr. OLESON. Tuesday.

Senator GRAY. How did you learn it?

Mr. OLESON. I learned it through the morning paper. When I received that I do not know. I did not go into the city until about 1 o'clock.

Senator GRAY. And you had your paper before you went into the city?

Mr. OLESON. Yes.

Senator GRAY. You have been an instructor of education and connected with the islands for fifteen years?

Mr. OLESON. Yes.

Senator GRAY. Does that bring you in contact with the native population?

Mr. OLESON. Altogether.

Senator GRAY. What do you find among the common people—those whom you come in contact with—in regard to learning, manners, and the ordinary intellectual conditions?

Mr. OLESON. I have a great regard for the Hawaiians, having mingled with them so much, and I have a high estimate as to their good nature and imitative faculties, and as to their fitness for manual employment. I do not think the higher education is suitable for them—I do not think they are fit for it, and having obtained it, they can not make a right use of it.

Senator GRAY. But they have had the opportunities?

Mr. OLESON. Yes. Since I have been in the islands my efforts have been to pull down the course of study. They had previously taught them calculus and trigonometry in the schools, but the Kamehameha school did not go beyond algebra. That was put in to please the boys.

Senator GRAY. You thought it was better to adhere to the average native capacity?

Mr. OLESON. Certainly. We had extensive manual-training shops there, blacksmith, iron and machine works, wood turning, printing, carpenter work; and it was my aim in organizing the school—I had to overcome many difficulties—to make it a manual-training school, so as to develop the Hawaiians on the side they showed the most aptitude for.

Senator GRAY. Do you think they are susceptible of as high training and as broad culture as the white race?

Mr. OLESON. They have very little faculty for originating—they are great imitators. That is shown in their manual-training work; they can do a thing after they are shown how to do it.

Senator GRAY. Is not that a characteristic of the inferior races?

Mr. OLESON. Certainly.

Senator GRAY. And you would consider them an inferior race?

Mr. OLESON. As compared with the Anglo-Saxon. They have many good traits, lovable traits, and I have cherished a high estimate for the Hawaiians since my residence in the islands. I do not know any men more stalwart than some of them have been under temptation.

Senator GRAY. You think that the population is capable of self-government in the sense we understand it in the States and with our own race?

Mr. OLESON. With some conditions. Under the leadership of Anglo-Saxons, the Hawaiian population up to 1880 was pretty well divided up, with a majority against any encroachment on the part of the throne on the rights of the people. There was a demand for larger popular rights, and those people stood together. But, as I have undertaken to show in my paper, that majority was dissipated, as the effect of Kalakaua's reign in matters of bribery and intimidation and the revival of the old kahuna system in the country, which tended to subvert and to intimidate the Hawaiians. So that, while I have stayed there, I have witnessed that change. But to-day there is a good proportion of the Hawaiians who are stalwart and firm in their support of annexation as the best outcome for that country—staunch friends of the white man. And the effort made by the white men who have been allied with the reform movement has been to advance the interest of Hawaiians as well as those of the Anglo-Saxon. But there is a large element that is affected, intimidated by the throne, and they are indifferent to-day. They do not dare to do anything, much less take one side or the other. They can be appealed to by race prejudice in ways that the Anglo-Saxon can not approach them; and in that way the electorate is subverted, and, in my opinion, no matter how much I may think of the native, it is impossible to get an adequately representative vote among them.

Senator GRAY. Do you think a successful and prosperous government for the good of all interests, native as well as all others, is possible on those islands, except under a strong government ruled and controlled by men of our own race?

Mr. OLESON. Our race has always ruled the government, and I do not see any reason to change my opinion as to the necessity; that is history; that is the outlook. I do feel that the continuation of such a government as they have there now will eventually swing over to the side of the present government a large number of the natives, it may be a majority.

Senator GRAY. The government you have there is a Provisional Government, and under the control of the superior race of the islands?

Mr. OLESON. It is entirely.

Senator GRAY. And it is strong?

Mr. OLESON. It is strong in every sense of the word.

Senator GRAY. It is autocratic?

Mr. OLESON. No; it is oligarchy.

Senator GRAY. Oligarchy describes it better than the word I used?

Mr. OLESON. Yes.

Senator GRAY. I accept your word as better than mine.

Mr. OLESON. I think it is an important matter to show how it was that the men who formed the committee of safety were able to take possession of that Government, and to call attention to that public meeting that was held in the public square on the same day that the meeting was held in the armory.

It was the general opinion on every side that the public manifesto of the Queen and cabinet announcing that there would be no further attempt from the throne to promulgate a constitution was a desperate move to placate the indignant foreign population. The mass meeting in Palace Square was engineered by the cabinet and the marshal who publicly stated that such men as Wilcox and Nawahi were not to be

speakers. He said "We have given orders that the tone of the speaking must be moderate." Nawahi and Wilcox did speak, men who had always been fiery agitators and persistent in their demands for a new constitution. This meeting, made up of advocates of a new constitution, the leaders of which had conspired with the Queen to secure such constitution, voted an expression of thanks to the Queen for her manifesto.

Men knew that this action was insincere, as they also believed the Queen's to be, and the effect of the meeting and of the manifesto was to convince the community of the panic that had seized the Government and of their readiness to resort to any expedient to allay the indignation of the people and to prevent their organization.

It was these considerations that help to explain the passivity of the Queen's forces and the ease with which the Provisional Government assumed control.

Senator GRAY. Did you hear those orders given?

Mr. OLESON. Marshal Wilson told it to a gentlemen who told it to me.

Senator GRAY. Marshal Wilson did not tell it to you?

Mr. OLESON. No.

Senator GRAY. You were asked to confine yourself to facts that came within your own observation and what you knew. That is argumentative.

The CHAIRMAN. You are evidently speaking of matters which you know of only by common repute.

Mr. OLESON. I speak of matters in addition—matters of common talk on the streets after the mass meeting.

The CHAIRMAN. But not of matters within your personal knowledge?

Mr. OLESON. Certainly; knowledge of the character of these men who were speaking.

The CHAIRMAN. You believed it, but you did not hear it?

Mr. OLESON. I passed by the meeting. I know that those men were there.

The CHAIRMAN. Were they speaking?

Mr. OLESON. Yes; I believe they were speaking.

The CHAIRMAN. Which one?

Mr. OLESON. Mr. Robert Wilcox, I think.

Senator GRAY. Were you present at both meetings?

Mr. OLESON. I passed by one to the other; yes.

Senator GRAY. What is your estimate of the number of persons present at the two meetings—a fair estimate?

Mr. OLESON. I should say that the numbers at the armory were considerably in excess of those at the public square. But there were men continually going to and fro.

Senator FRYE. The public square meeting was a Royalist meeting, and the armory meeting was the Provisional Government meeting?

Mr. OLESON. Yes.

Senator GRAY. You say that you think the numbers in the public square were less than those in the armory?

Mr. OLESON. Yes; I judge so.

Senator GRAY. The meeting in the armory was in the building?

Mr. OLESON. Yes.

Senator GRAY. And the meeting in the square was in the open?

Mr. OLESON. Yes.

Senator GRAY. Were you not a little careful of comparing the numbers of those in the open to those in the four walls of the building?

Mr. OLESON. Yes; I have been used to judging audiences, and I judged at the armory there were some 1,200 present. One of the

editors of the paper stated that by actual count there were a little less than 1,100. He gave the actual numbers at the time.

Senator GRAY. How far were those meetings apart?

Mr. OLESON. A little less than a quarter of a mile.

Senator GRAY. Short distance enough to allow a shifting back and forth?

Mr. OLESON. Yes; there were very few went away from the meeting in the armory; but there were others outside, representing the indifferent class, to see how the thing was going. They would range themselves at the public square meeting, as on other similar occasions, on the sidewalk toward the palace, when the meeting was on the other side of the railroad track.

Senator GRAY. You were at both meetings?

Mr. OLESON. Yes.

The CHAIRMAN. You spoke of having a feeling of friendship for the Hawaiian people?

Mr. OLESON. Yes.

The CHAIRMAN. And the Hawaiian character?

Mr. OLESON. Yes.

The CHAIRMAN. Will you state whether that is a common feeling amongst the white men of Hawaii?

Mr. OLESON. That is a very difficult question to answer. There are two classes of white men in the country; it is doubtful which class is the more numerous. The more recent class in the country have a low estimate of the native character; but the older residents of the country have always been friendly, and have had an attraction toward the Hawaiians, and have always done a great deal for them.

The CHAIRMAN. That is the body of the people which you call missionaries?

Mr. OLESON. Yes; the older residents, who have known Hawaiians outside of Honolulu—known them under circumstances different from those which have come up since 1880.

The CHAIRMAN. In the Hawaiian Islands, who are classed as missionaries?

Mr. OLESON. Any man who is in favor of good order and against pernicious legislation is a missionary.

The CHAIRMAN. And so classed?

Mr. OLESON. Yes. And it is no matter whether he is of correct life or not.

Senator GRAY. Because the missionary element leads that movement?

Mr. OLESON. I do not know, except that it comes about incidentally.

Senator Gray. Is it not a fact that the descendants of those missionaries, being descendants of our own race and blood, and living there and having an interest in the islands, are supposed to have an interest that does not belong to the later comers, to those more transient?

Mr. OLESON. In the native race, you mean?

Senator GRAY. Yes.

Mr. OLESON. Yes?

The CHAIRMAN. The native race have a respect for the real missionary?

Mr. OLESON. Yes. There is hardly a man, an old resident, who has been in public life, who has any prominence in this movement, who has not at one time or another represented an almost entirely native constituency in the legislature.

The CHAIRMAN. There seems to be a progress made in all educational development, Christian development, etc. Is that the work of the class called missionaries?

Mr. OLESON. I think it comes from the fact of their residence among the missionaries; yes.

The CHAIRMAN. And that gives impulse to all these movements to enlightenment and civilization in Hawaii?

Mr. OLESON. Yes. The conditions have changed now. In earlier times, when the white population was less in number than now, the affiliations were greater between the Hawaiians and the whites, because they were thrown among each other in matters of residence—they were out in the country nearer together. The plantation system has broken that up; and the political situation—I speak of the revolution—has also brought about that change.

The CHAIRMAN. Is the progress of education in Hawaii due to the efforts of this party called the missionaries—the old missionaries there?

Mr. OLESON. I should say that all the intelligent and law-loving members of the community (with possible exceptions which can be explained) are in this movement. Those exceptions are men who are more or less connected with the embassies, or who are agitators of anti-American ideas, who, being adventurers in that country, have but little or no property interests—are interested in the schemes for smuggling opium, or laws which are intended for their personal interests. They use the natives, but they have no real regard for them. I can put in, use and abuse. I know about the attitude of this class who are at the head of the Government in relation to the schools.

The CHAIRMAN. Do you mean the Provisional Government?

Mr. OLESON. Yes; men who are influential in it. I know of their generosity in the way of support of Hawaiians in the schools. I have had connection not only with the two schools I mentioned, but others; and I know the help granted by these men has been enormous. They have supported individuals in the schools, and have done it because of *aloha* for the natives.

The CHAIRMAN. Has there been a general dissemination of knowledge of English amongst the Hawaiians in the elementary studies?

Mr. OLESON. Yes. But a great many of them are able to read in an English book who can not talk English, except indifferently.

The CHAIRMAN. My question had reference to the extent.

Mr. OLESON. It is extensive in the sense that the Hawaiians can read and write as perhaps no other people can according to population.

The CHAIRMAN. Since you have been living in Hawaii, have you seen any marked progress in morality or personal respectability amongst what you call the Hawaiians, the native Kanakas?

Mr. OLESON. I think that in the city of Honolulu there is much more immorality than there is out in the country. I shall have to associate my observation in Honolulu with that of an observer in Hilo. In the country, the commingling of the races and the immoralities which are the bane of Hawaiian social life are not so excessive and flagrant as in the city of Honolulu. But there are causes for that, of course.

The CHAIRMAN. But as a general rule or result, has the influence, the efforts of the missionary party (I will call them), in Hawaii been beneficial or otherwise to the people?

Mr. OLESON. Beneficial to the people. I do not think there has been

a single thing gained by the Anglo-Saxon population that has not been shared with the Hawaiians. There has been no race feeling whatever on the part of the influential foreigner in the political reforms of recent years. One point showing race animosity on the part of Hawaiians was when the appointive power of the King for nobles was taken away from him and the nobles were made elective by the people. This was not to be by the fullest, broadest suffrage rights, but by limitations, educational and property, and the Hawaiians claimed that was inimical to them. But as a matter of fact there are a great many Hawaiians who are noble voters who are within those qualifications. I was present when some of the articles of that constitution were discussed, and I personally, with others, made a strenuous movement at the time, and it was pretty well supported, to make that property qualification less than was proposed, so as to take in the Hawaiian ministers. The Hawaiian ministers have, in a measure, been the backers of good government.

The CHAIRMAN. Let me ask you if these kindly measures and good efforts of the party which you now call the missionary party seem to have been influenced by the motive of selfish gain or aggrandizement, acquisition of power, or one of real generosity toward the people of Hawaii?

Mr. OLESON. I think it has been one of generosity toward the people of Hawaii; a movement in their own interest. You may speak of it as a selfish movement, if you take the demand and determination to have a good government as selfish interest. It was not any sordid movement; it had its source in moral considerations.

The CHAIRMAN. That has characterized the whole interests of Hawaii?

Mr. OLESON. Yes, one little fact will show you the character of the members of the Provisional Government and of the advisory council as men who, giving a great deal of valuable time to the necessary legislation of the present Government, are men receiving no salary whatever. The nobles received no salary whatever under the constitution of 1887.

The CHAIRMAN. Was there, at the date of this revolution, to your knowledge, any organization whatever, secret or open, for the purpose of dethroning the Queen?

Mr. OLESON. No.

The CHAIRMAN. Or for the purpose of annexing the islands to the United States?

Mr. OLESON. No.

The CHAIRMAN. If such an organization or combination had existed, would you have known it?

Mr. OLESON. I would have known it.

The CHAIRMAN. Are you satisfied to state that there was no such organization?

Mr. OLESON. Yes.

The CHAIRMAN. When did you first hear of the movement to dethrone the Queen?

Mr. OLESON. That was whispered after the mass meeting. Men came from that and said: "Why don't they do something?" Large powers were given to the committee of safety to go on and organize the government, and men said, "That means that the Queen is out."

The CHAIRMAN. That was the first time you heard of it?

Mr. OLESON. Yes.

The CHAIRMAN. After the mass meeting?

Mr. OLESON. Yes; I do not know that that committee, previous to

the meeting, expected to be backed to such an extent as to warrant them to go on; but, as I say, that is my opinion.

The CHAIRMAN. Amongst the Americans there in Hawaii, since you have resided on the islands, has there been any evident disposition to promote annexation to the United States?

Mr. OLESON. There has been no concerted attempt; it has been written on publicly in the papers. Men have advocated it in the papers, and Hawaiians have advocated it more than the Americans.

The CHAIRMAN. Do you speak of the Kanakas?

Mr. OLESON. Native Hawaiians. I am not speaking of the white people.

The CHAIRMAN. You said the Americans?

Mr. OLESON. No, the Kanakas, the native Hawaiians.

The CHAIRMAN. That they have advocated it more strenuously than the white people?

Mr. OLESON. Yes. I mean in public.

The CHAIRMAN. Then it was a subject of open political discussion?

Mr. OLESON. Yes—only that it was not very common; once in a while there would be something about it in the papers; some one would say something of it.

The CHAIRMAN. It is a topic that has been discussed?

Mr. OLESON. Yes; for a good many years.

The CHAIRMAN. Has there been any disposition evinced, to your knowledge, of annexation to any other country, or toward claiming a protectorate of any other country than the United States?

Mr. OLESON. No. When that has been broached in my presence I have uniformly heard disapprobation of it. That is the sentiment of the native Hawaiians, Kanakas, as well as amongst the Americans, and also among many of the English.

The CHAIRMAN. Do you know whether they celebrate our National days there?

Mr. OLESON. Yes; the Fourth of July has been the celebration day since I have been in the country.

The CHAIRMAN. Do the Kanakas celebrate?

Mr. OLESON. They do not participate in the speeches; but they do in the sports, the prizes, etc.—boat races.

The CHAIRMAN. They enter with enthusiasm into the celebration as a national féte.

Mr. OLESON. Yes.

The CHAIRMAN. How about the Thanksgiving that is proclaimed by the President of the United States?

Mr. OLESON. That day is observed in a quiet way; it is a semiholiday—the Hawaiians do not size that up, quite.

The CHAIRMAN. I notice that Mr. Willis mentions that it is observed?

Mr. OLESON. It is observed; but not anything like the Fourth of July.

The CHAIRMAN. Would you say that there was a feeling amongst the general population, white and Kanaka, of the Hawaiian Islands of a decided character in favor of the United States as a friendly government, or as the one to which they would ultimately look for protection in any emergency?

Mr. OLESON. I think that that is the majority sentiment in that country among all classes.

The CHAIRMAN. Has it been such since you have resided there?

Mr. OLESON. No; I think it has been gradually growing, as men of

all classes have faced what they uniformly agreed was inevitable for Hawaii.

The CHAIRMAN. Upon what ground do you base that conclusion—that the monarchy must inevitably collapse?

Mr. OLESON. To, first, the dying out of the Kamehameha line; second, the abuses of the reign of Kalakaua among the Hawaiians, not yet become extinct. There was intense opposition to him when he became King. That lies dormant in the minds of the Hawaiians—that these kings are not high chiefs, that there must be an end to their rule sooner or later, and that they must have a government from elsewhere.

The CHAIRMAN. If you believed Kalakaua to be a heathen, why did you not attempt to overthrow him in 1887?

Mr. OLESON. There was a very strong sentiment to do it at the time.

The CHAIRMAN. Do you know the reason why it was not put into effect?

Mr. OLESON. As I said in my statement, because those men who were influential felt that it was better not to make any such radical change until the country was ripe for it and the situation demanded it.

The CHAIRMAN. You have been waiting for public sentiment to ripen upon this question and the coming of events to show that it was better for the safety and security of good government in Hawaii that the monarchy should fall?

Mr. OLESON. Yes.

The CHAIRMAN. Be substituted by a different form of government?

Mr. OLESON. Yes; as a logical sequence.

The CHAIRMAN. Monarchy through the world is regarded as being a stronger form of government than a republic. Did the people of Hawaii expect that when the monarchy should cease they would be able to establish and maintain a republican government in Hawaii of their own resources and without assistance from any other country?

Mr. OLESON. No; I did not, personally; and those that I talked with did not. We felt that it was impossible in the light of past experience, and of the facts that we knew, for us to sustain an independent national existence there.

The CHAIRMAN. So that, at the collapse of the monarchy, whenever that should occur, it was intimately associated, as I understand, with the idea of annexation to the United States?

Mr. OLESON. That was the solution of it.

The CHAIRMAN. And the two ideas ran together?

Mr. OLESON. Ran together. It was just as if the men had said "We will go on with the monarchy as long as we can, and when we can not the United States will take us."

The CHAIRMAN. That was the whole idea?

Mr. OLESON. Yes.

The CHAIRMAN. The idea of going on separately from the United States without the protection of the United States or the other countries has not been entertained?

Mr. OLESON. That has not been entertained, except by Ashford and Wilcox, as I deem very natural, when we consider their personal interests lay in the direction of maintaining a republic. They would then be able to dicker with the United States and get appointments in that way. But I do not think men of intelligence have for a moment thought of it. They may be able to do it, after all, and sustain their rights. But when men followed this movement, they followed it as a tentative matter and thought that was the only responsible govern-

ment they could get in the islands at the time. But the ultimate out come must be annexation to the United States.

The CHAIRMAN. The present provisional forces of the Provisional Government, that the Government seems to be able to equip, arm, and pay, as I gather from this testimony, are about 1,200 men.

Mr. OLESON. I do not know that there are as many as that to pay. Some of the volunteer forces are not under the pay of the Government.

The CHAIRMAN. Omitting the question of pay, the present military force of the Provisional Government is 1,200 men.

Mr. OLESON. I think between 1,200 and 1,500.

The CHAIRMAN. Are those men well armed and equipped?

Mr. OLESON. Yes.

The CHAIRMAN. With modern guns?

Mr. OLESON. With modern guns; yes.

The CHAIRMAN. And modern ammunition?

Mr. OLESON. Yes.

The CHAIRMAN. Are they composed most largely of the white race?

Mr. OLESON. Yes.

The CHAIRMAN. Are there any native Kanakas enrolled in this force?

Mr. OLESON. I think there are some. Kanakas are not fighters.

The CHAIRMAN. They are not belligerent?

Mr. OLESON. They are in talking; but not beyond that.

The CHAIRMAN. They are a passionate people, and might be roused into hostility?

Mr. OLESON. Yes; but in cold blood I do not think the native would fight.

The CHAIRMAN. Suppose the Queen had the means of arming 1,000 or 1,200 natives, an equal number of natives, with equal facilities of all kinds, arms, ammunition, equipments, such as the Provisional Government forces have, and of placing such men under such drill as would make of them soldiers who could be handled in action, what would be your opinion of the ability of that number of Kanakas, thus armed and equipped, to stand against 1,200 white men?

Mr. OLESON. Wholly hypothetical.

The CHAIRMAN. What is your opinion?

Mr. OLESON. I do not think they would stand at all.

The CHAIRMAN. Do you think they would ever attempt to stand?

Mr. OLESON. No.

The CHAIRMAN. You think they have such an estimate of the courage of the white race, and of that race's fighting quality, that they would not make a stand against them?

Mr. OLESON. They would not.

The CHAIRMAN. Although they were perfectly armed, equipped, organized as an army ready to defend the Queen?

Mr. OLESON. Yes; they could not be depended upon—that has been proven repeatedly.

The CHAIRMAN. By actual experience?

Mr. OLESON. By actual experience.

The CHAIRMAN. Take the Queen in her present condition, with her present resources, present playing upon the affections of the Hawaiian natives, do you apprehend that she has any possible chance of reinstating herself upon the throne?

Mr. OLESON. Not at all; and she has not had any chance since January 14; not the ghost of a chance to reinstate herself by any force she could marshal in the islands.

The CHAIRMAN. So that, in a conflict, native Kanakas under the leadership of the Queen could not stand against the forces under the leadership of the Provisional Government?

Mr. OLESON. That would be out of the question. That is my personal opinion.

The CHAIRMAN. That is what I am after, your personal opinion.

Mr. OLESON. In saying that I do not impute anything against the natives; it is simply due to the superiority of the Anglo-Saxon people.

The CHAIRMAN. As I understand your opinion, the Kanakas are not a military people, not aggressive?

Mr. OLESON. No, not aggressive. They will expose themselves to danger; are physically strong and able men. They are the reliance of the industries of that country, so far as the demand is for strength and daring. The interisland steamers, which require dexterity, courage, and strength, are manned by the Hawaiians. It is the only force in the islands to do that work.

The CHAIRMAN. Then you think they would make excellent sailors?

Mr. OLESON. They are. I have met them in New England. They had been sailors, and they had been all around the world.

The CHAIRMAN. Are they fond of their calling?

Mr. OLESON. Yes. Very much attracted to it.

The CHAIRMAN. Would you say that the Kanaka population, taking them at large, are what we would call a governing people?

Mr. OLESON. No; they are not.

The CHAIRMAN. Do you think they would have the requisite skill in the enactment of laws (if that were left entirely to them) to build up and maintain good government?

Mr. OLESON. They could not do it.

The CHAIRMAN. You think a legislature composed entirely of Kanakas, without respect to their intelligence, and including the highest order of intelligence, and a Kanaka cabinet, could not control the Government of Hawaii?

Mr. OLESON. No; they could not.

The CHAIRMAN. You are perfectly satisfied on that point?

Mr. OLESON. Perfectly satisfied on that point. That is the case. By a late paper from Honolulu—I do not know whether you would rather have it or not—I see that President Dole has called upon Dr. Trousseau to explain certain testimony which he had given against President Dole, and calls for retraction. It is very brief. If you would like to have it I will pass it to you.

The CHAIRMAN. You can put it in if you think it will reflect any light.

Mr. OLESON. I think it will show that President Dole was not concerned in any conspiracy. And another thing, where Dr. Trousseau said he knew by personal knowledge of these things, in his retraction he states he got his information from a source which he supposed was reliable.

The CHAIRMAN. Have you seen any denial of their authenticity by Trousseau or Dole?

Mr. OLESON. No. In a later paper he made a retraction to 3 other men whom he had mentioned in the same connection—4 other men.

Senator FRYE. In reference to the protection of American life and property, was the location of the troops at Arion Hall a central location?

Mr. OLESON. It was a central place for a rendezvous. The two main streets are at an angle—King street and Nuuanu street—and Arion

Hall was a central location from which to scatter the troops in squads to available points. I do not well see how they could have been better located for the protection of life and property to better advantage than there.

The CHAIRMAN. Was there anything to prevent the location of those troops in Arion Hall when you went out to the Government building and the proclamation was being read—anything to prevent the Royalists from making an attack on the men who entered the Government building?

Mr. OLESON. No; the Queen's forces had plenty of ways in which they could have gotten there without passing by the United States troops, even if the United States troops had been out, which I do not admit.

Senator FRYE. But if the United States troops were in their quarters there was nothing to prevent an attack being made by the Royalists on the men of the Provisional Government?

Mr. OLESON. No.

Senator FRYE. Was there anything in those mass meetings which were held to prevent an attack by the Queen's forces?

Mr. OLESON. No; the nominal Government could have suppressed by the force they had in their hands that mass meeting; but they did not dare to do it, because it would have aggravated things so that they would have gone to their worst.

Senator FRYE. Peterson, and Colburn, and Neumann, and Rosa, being then the agents of the Queen and the Queen's cabinet as she formed it after she had removed the Wilcox-Jones cabinet, were they reputable men in the islands?

Mr. OLESON. I never considered any of them to be.

Senator FRYE. Did you have any acquaintance with Mr. Stevens?

Mr. OLESON. Yes.

Senator FRYE. What was your estimate of him?

Mr. OLESON. I had a high estimate of Mr. Stevens as a man who was exceedingly discreet in his bearing toward events there. I feel that he was placed in a very difficult position at the time the troops were landed, on account of the merely nominal hold which the Government had on the situation—it was practically in the hands of the irresponsible portion of the community; there was practically no government that had any respect of the people. I have heard since that Minister Stevens did not request permission of the Government that the troops be allowed to land. If he had made any such request and it had been denied, I do not think Minister Stevens would have been justified in *not* landing the troops. There was no government; there was no agreement on a plan of action among the leaders of the nominal government; there were disagreements amongst them; there was no confidence, on the part of the intelligent portion of the community, in them. so that in that sense, while they had nominal control of things, it was simply a nominal government.

Senator FRYE. Did you at any time, in your investigations and in your conversations with the men who were connected with the Provisional Government, obtain from them any idea that they expected any assistance from United States troops?

Mr. OLESON. No; not the slightest. I never heard it whispered, and I was in a way to meet a great many of the men on whom the fighting was to depend, if there was to be any fighting. They did not look for any assistance at all.

Senator FRYE. Is it your opinion that it was a fact that the presence

of the United States troops on shore had any effect in dethroning the Queen or the establishment of the Provisional Government?

Mr. OLESON. I do not think it had the slightest.

Senator FRYE. And if the troops had remained on board ship the same thing would have happened?

Mr. OLESON. I think the same thing might have happened. But I think something else would have happened—there might have been irresponsible parties turned upon the community, and incendiary fires and bloodshed might have followed.

Senator FRYE. But as to the establishment of the Provisional Government?

Mr. OLESON. As to the establishment of the Government, I do not think it made any material difference.

Senator FRYE. Mr. Chairman, I received by this morning's mail, from Charles L. Carter, one of the commissioners, three or four statements which were printed in the public papers of Honolulu, containing, over the signatures of the men who are purported to have written them, contradictions of the testimony of Dr. Trousseau, who appears several times as a witness in Mr. Blount's report. I ask that they be incorporated in this testimony. One is from Sanford B. Dole, one from Chief Justice Judd, and one from Alfred S. Hartwell in answer to some statements made by Dr. Trousseau that these gentlemen, together with others named, had been for a long time in the habit of meeting at the office of the minister of the United States and conspiring to produce the revolution of 1893. They contradict Dr. Trousseau right straight through. They are as follows:

Trousseau once more—He is again brought to a reckoning—This time President Dole secures a retraction of some statements to Blount.

HONOLULU, *December 27, 1893.*

GEORGE TROUSSEAU, M. D.:

DEAR SIR: I notice in Mr. Blount's report, of which I have a copy on page 284 of Part II, the following statement in your letter to Mr Blount, dated May 16, 1893:

"Almost daily, to my personal knowledge, meetings were held at Mr. Stevens's house in which the possibilities of a peaceful revolution with the prospects of annexation were discussed. Prominent at these meetings were the chief justice, Mr. Dole, Mr. Thurston, Mr. Hartwell, Charles Carter, and others, also Capt. Wiltse."

This statement, which has been published in the Commercial Advertiser at Honolulu, is incorrect as regards myself. I was never present at any such meetings, nor was I aware that such meetings were held until informed of it by the publication of your statement to that effect.

I desire that you will make due reparation in the matter with the same publicity which the above statement has already received.

I am, very sincerely, yours,

SANFORD B. DOLE.

DECEMBER 28, 1893.

Hon. S. B. DOLE,
President of the Provisional Government:

DEAR SIR: When I made to Mr. Blount the statements you refer to in your letter of the 27th, I believed them to be correct, as my information came from a source that I could not consider but reliable.

In spite of difference of opinion and bitterness of feeling on my part engendered by the vile abuse I have been submitted to by your political side, I have always considered you as a gentleman.

You say that you attended no meetings at Mr. Stevens's house; let it be so; I accept your word for it.

Very respectfully yours,

G. TROUSSEAU.

Trousseau and truth—Where they fail to agree in their evidence—Chief Justice Judd and Judge A. S. Hartwell deny statements of his to Blount.

EDITOR STAR:

Dr. Trousseau's statements to Mr. Blount, so far as they refer to me, are totally untrue. I never met any of the gentlemen named by him at Mr. Stevens's house. I never attended any meeting with the gentleman named or with any others at Mr. Stevens's house, or at any other place, where annexation was discussed.

I do not consider that I owe my "social and pecuniary position" to the natives, although I believe I have their confidence and good will. Before my appointment to the bench, now nearly twenty years ago, I was receiving a handsome income from my practice at the bar; greater than my salary as second associate justice, which was my first appointment.

I took no part whatever in the revolution of January, 1893, nor was I informed of the plans of the movers in it. I had no more information than any other "outsider."

A. F. JUDD.

HONOLULU, *December 26, 1893.*

Gen. Hartwell's denials.

Editor Star:

When Dr. Trousseau, in his statement to Blount and letter to Nordhoff, says that "meetings were held at Mr. Stevens's house in which the possibilities of a peaceful revolution were discussed," and that "prominent at these meetings were the chief justice, Mr. Dole, Mr. Thurston, Mr. Hartwell, Charles Carter, and others, also Capt. Wiltse," Dr. Trousseau says, as far as I am concerned, that which is untrue. Mr. Charles T. Gulick's statement to Blount contains similar language with that of Dr. Trousseau, adding the expression that the persons named were so managing as to "save their precious carcasses." Mr. Gulick will be pleased to consider my denial of the truthfulness of both Nordhoff's and Dr. Trousseau's statements of the meetings in question, as applying also to his untruthful statement, in so far as I am concerned.

But while it so happens that I never attended any such meetings as Dr. Trousseau and Mr. Gulick have taken the grave responsibility of asserting, it is true that talk of revolutions has been rife here for years. The dread of it has been the main cause of many financial difficulties.

The viciousness of the above-mentioned statements of Messrs. Trousseau and Gulick is in the impression which they were meant to fix that we were plotting revolution, since otherwise such statements would be nothing but old women's gabble

So far from plotting revolution, the people who are to-day supporting the Government of Hawaii, and who aided in its establishment, were to a man, as I believe, opposed to the attempts at revolution which were under several discussions in the early part of the year 1892, and for which attempts the arrests for treason were made spring before last.

For even defending those treason cases in court I found myself the subject of harsh criticism from many persons who are now staunch Government men and annexationists.

Messrs. Blount and Nordhoff have fallen into the absurd but grave error for which Dr. Trousseau and Mr. Charles T. Gulick have made themselves responsible, of supposing that Mr. Stevens and his friends were trying to bring about the revolutionary results, for attempting which Robert Wilcox, V. V. Ashford, and some 16 other Hawaiians were examined before a judge on a charge of treason.

Dr. Trousseau's suggestion to Blount that the ex-Queen propose a cession of Hawaii to Grover Cleveland and then abdicate, and that "all of us will assist," such result shows his view of the situation apart from his "point of view."

ALFRED S. HARTWELL.

Adjourned to meet to-morrow, the 20th instant, at 10 o'clock a. m.

WASHINGTON, D. C., *Saturday, January 20, 1894.*

The sub-committee met pursuant to adjournment.

Present: The Chairman (Senator MORGAN) and Senators BUTLER, GRAY, SHERMAN and FRYE, and DAVIS of the full committee.

SWORN STATEMENT OF JOHN A. McCANDLESS.

The CHAIRMAN. What is your age?

Mr. MCCANDLESS. I am 40 years of age.

The CHAIRMAN. What is your occupation?

Mr. MCCANDLESS. In the Hawaiian Islands, an artesian-well driller.

The CHAIRMAN. What is the place of your nativity?

Mr. MCCANDLESS. Pennsylvania.

The CHAIRMAN. Are you of American parentage?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. When did you go to Hawaii?

Mr. MCCANDLESS. I went to Hawaii in 1881.

The CHAIRMAN. Did you go there to experiment in the boring of artesian wells?

Mr. MCCANDLESS. No; at that time it had passed that state, and the fact had been proven that they could get an artesian well. They had half a dozen at the time I arrived there.

The CHAIRMAN. To what part of the Islands did you go?

Mr. MCCANDLESS. Except seven months I have been on the island of Oahu all the time.

The CHAIRMAN. Did you get wells there?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Did you get water enough from the wells for sugar planting?

Mr. MCCANDLESS. Yes. On the island of Oahu they get water from artesian wells as well as from the mountain streams.

The CHAIRMAN. Are there large plantations on the island?

Mr. MCCANDLESS. Yes. In 1890 one plantation had a capitalization of half a million, and they ran in debt another half a million before they got started.

The CHAIRMAN. How many hands does that sugar plantation employ?

Mr. MCCANDLESS. 600. On the island of Kauai we get artesian wells, but the water does not rise over 6 feet above the sea level. In most cases they have to pump the water.

The CHAIRMAN. Can not siphons be run out?

Mr. MCCANDLESS. No.

The CHAIRMAN. Do you bore in the flats?

Mr. MCCANDLESS. Yes; the flats near the sea level.

The CHAIRMAN. Is the geological construction of the islands of such a character as would warrant, in your opinion, the belief that that is going to be a valuable source of water supply in the Hawaiian Islands?

Mr. MCCANDLESS. There is now invested in artesian wells in the Hawaiian Islands about a half million dollars. We have ourselves done $400,000 worth of the work, and it is quite an industry.

The CHAIRMAN. It is on the windward that they have the wells?

Mr. MCCANDLESS. On both sides of the island of Oahu. The artesian-water belt extends all around the island of Oahu, with a few exceptions, where we were unable to get water.

The CHAIRMAN. Do you find the water in pockets or in the stone?

Mr. MCCANDLESS. We find it in the lava formation of the islands.

The CHAIRMAN. You drive the well down until you find the percolation of the water of sufficient strength to force an overflow?

Mr. MCCANDLESS. It is in the decomposed lava and the washing of centuries, which make a packing to keep it in, and of course we go to the open rock and get the water.

The CHAIRMAN. Do you look forward to the artesian system as one that is going to be valuable to that country?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Your labors in Hawaii, I suppose, have carried you amongst the people in the country?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Have you familiarized yourself with the character and condition of the people of Hawaii?

Mr. MCCANDLESS. Yes; our business has taken us all around the island of Oahu.

The CHAIRMAN. Have you had occasion to visit other islands also?

Mr. MCCANDLESS. The first well we drilled in the Kingdom was on the island of Hawaii. We were there seven months. That was a complete failure. Outside of that I have not been off the island of Oahu.

The CHAIRMAN. I will ask you now to state briefly what you found to be the condition of those people as to the comfort of living at their abodes.

Mr. MCCANDLESS. They lived in the country there just about as the poor do in any country that I have ever been in, except, perhaps, they are more indolent than the poor of our country.

The CHAIRMAN. Does nature furnish a larger supply of food to the natives of the Hawaiian Islands than it does to the natives of most countries, to relieve them of the necessity for labor?

Mr. MCCANDLESS. Yes; it does in this way: The taro patch (that is the food there)—I judge an acre of taro land, perhaps a half acre—will keep a large family in food the year round. That is in addition to the fish they catch.

The CHAIRMAN. Are fish abundant off the coast of those islands?

Mr. MCCANDLESS. Yes; but fish commands a higher price in Honolulu than in any seaport town I have ever lived in. That is because the native will not go fishing unless the price of fish is high.

The CHAIRMAN. They are expert fishermen?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. And they have control of the fisheries?

Mr. MCCANDLESS. No; the Chinese have most of the fishing rights. There is a peculiar condition of affairs there in regard to the fisheries. The water front of the islands is owned by the landlords—the people who own the land—and the privilege of fishing on this water front is leased out.

The CHAIRMAN. By the owner of the soil?

Mr. MCCANDLESS. By the owner of the soil. So that the Chinese have been rather encroaching on that privilege and getting most of the valuable fishing rights.

The CHAIRMAN. How far out in the sea does this privilege extend?

Mr. MCCANDLESS. I can not say as to that.

The CHAIRMAN. Do the Hawaiians and Chinese fish offshore in boats and with seines and other tackle?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. When they are fishing offshore this water privilege does not interfere with them, does it?

Mr. MCCANDLESS. Yes; it interferes, except in the case of Government lands; there it is open to the natives.

The CHAIRMAN. There must be some limit to this right. Is it three miles?

Mr. MCCANDLESS. I think that would be the limit, the international limit.

The CHAIRMAN. You do not know about that?

Mr. MCCANDLESS. No.

The CHAIRMAN. In this way the Chinese and Hawaiians have what we term a practical monopoly of the fishing industry, and will not fish unless the market price justifies them in going out?

Mr. MCCANDLESS. Yes; that is the case with the Hawaiians; but the Chinese do not stop at all, they fish right along.

The CHAIRMAN. Around the islands other than Oahu is this fishing carried on by the natives?

Mr. MCCANDLESS. Yes; principally by the natives, because there is no market on the other islands.

The CHAIRMAN. What I want to get at is whether fishing in combination with the taro is the real, substantial food support of the common people of Hawaii?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Taro supplies the want for vegetable food?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. And takes the place of bread?

Mr. MCCANDLESS. Yes. I was going to say in regard to the natives, to show their indolence in regard to their crop, I have found it the case that the natives have leased out their taro patch to a Chinaman, and the Chinaman has worked it and paid the Hawaiian in taro, and still made a living off it himself. I have seen it many times.

The CHAIRMAN. Do the women in Hawaii work in the taro patches?

Mr. MCCANDLESS. Yes; but the men mostly. It is a crop easily taken care of.

The CHAIRMAN. Easily raised?

Mr. MCCANDLESS. Easily raised. Of course, there must be an abundance of water—it grows in a pond; it must be flooded with water.

The CHAIRMAN. Have you, prior to January 17, 1893, been in any way engaged in the political affairs of Hawaii?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Have you been in any office there?

Mr. MCCANDLESS. No.

The CHAIRMAN. Your connection with it then was as a private citizen?

Mr. MCCANDLESS. It was as a private citizen—to help right wrongs.

The CHAIRMAN. We will suspend the examination of Mr. McCandless, for the purpose of hearing Mr. Stevens, who, I am informed, is not well and is desirous of returning to his home.

SWORN STATEMENT OF MR. JOHN L. STEVENS.

The CHAIRMAN. What is your age?

Mr. STEVENS. Seventy-three.

The CHAIRMAN. Your place of nativity?

Mr. STEVENS. Mount Vernon, Me.

The CHAIRMAN. When did you first go to Hawaii?

Mr. STEVENS. I arrived there in September, 1889.

The CHAIRMAN. Was that your first visit?

Mr. STEVENS. My first visit to Hawaii.

The CHAIRMAN. You went as Minister of the United States to that Government?

Mr. STEVENS. I did.

The CHAIRMAN. Who was then the sovereign?

Mr. STEVENS. King Kalakaua was the sovereign.

The CHAIRMAN. Under what administration were you sent there?

Mr. STEVENS. By President Harrison.

The CHAIRMAN. Were you present at the time Liliuokalani succeeded to the regal authority in the Hawaiian Islands?

Mr. STEVENS. I was.

The CHAIRMAN. And you remained there until what time—what time did you leave the islands?

Mr. STEVENS. The 24th of May, 1893.

The CHAIRMAN. Proceed and state what you know of your own personal knowledge in respect of the political affairs of Hawaii since your arrival there, the changes in political conditions, the circumstances that led to such changes, the effects produced by such changes; and we wish you to state also what participation you had at any time during your residence there in promoting the interests or welfare of any political party connected with the Queen's Government or opposed to the Queen's Government. When you shall have made your statement, or at any time while you are making it, the members of the committee will interpose such questions as they may desire, for the purpose of keeping your attention to the testimony we desire to elicit.

Mr. STEVENS. Mr. Chairman and gentlemen, I will, of course, be under the necessity of condensing so far as possible. That inquiry might require a volume; but, of course, I understand the committee desires the salient facts. I will read what I think is better than I could verbally state, and we will have before us the events beginning twelve days prior to the overthrow of Liliuokalani. I can read of events prior to that; but I think I had better take twelve days prior.

The CHAIRMAN. Take your own course, so that you answer the questions.

Mr. STEVENS. The biennial Legislature assembled in May, 1892. The body very soon asserted its constitutional prerogative in voting out a ministry that had consented to the maladministration of the Queen and her favorite at the palace, who exercised dictatorial powers and rioted in official police corruption. Instead of appointing ministers possessing the confidence of the Legislative majority and of the business men of the islands, she continued to select those of her own type of character, those whom she knew would retain her palace favorite in power. Three successive ministers of this description were voted out by the Legislature, with the warm approval of all the best men of the islands. At last the Queen appeared to yield to the pressure of public opinion and consented to the appointment of four responsible men, three of them persons of wealth, and all of them men of good financial standing, who took the official places with reluctance, all four of them sharing the public confidence.

Known as the Wilcox-Jones ministry, it was believed that they would safely carry the country through the following eighteen months to the election and assemblage of the next Legislature. Fully sharing this belief, the United States minister and naval commander left Honolulu January 4, in the U. S. cruiser *Boston*, for Hilo and Volcano, the distance of nearly 300 miles. It was the first time for many months I had felt it safe for the United States minister and naval commander to be away from the Hawaiian capital. We were absent ten days. When we arrived in the harbor of Honolulu on our return from Hilo, in the forenoon of January 14, there came to us the startling news that the Queen and the ring of white adventurers who surrounded her had, by intrigue and bribery, carried the lottery and opium bills through the Legislature; had forced out the Wilcox and Jones ministry, had appointed in their places four of her palace retainers, two of whom the Legislature and the responsible public had recently and repeatedly rejected, headed by the man who had carried the lottery and opium bills through the Legislature.

In spite of numerous petitions and protests from all the islands, both of whites and native Hawaiians, and the earnest remonstrance of the chamber of commerce and the principal financial men of the country, the Queen immediately signed the iniquitous bills. Both she and the ring of adventurers who surrounded her expected thus to get the money to carry on the Government by making Honolulu a fortress of gamblers and semipirates amid the ocean, from which they could, by every mail steamer to the United States, send out the poisoned billets of chance by which to rob the American people of their millions of money—a method of gaining silver and gold as wicked and audacious as that of the freebooters who once established themselves in the West Indian seas and made piratical forays on American commerce. But even this was not enough for the semibarbaric Queen and the clique of adventurers around her. To fortify themselves in their schemes of usurpation and robbery they must have a new constitution. They were afraid the supreme court would decide their lottery bill unconstitutional. The supreme court must be reconstructed, so that the Queen could reappoint the judges and give the final appeal to the Queen herself. The new constitution was to be proclaimed in a way that the existing constitution expressly prohibits. Her four new ministers were in the plot.

While the *Boston* was coming into the harbor of Honolulu, on the forenoon of January 14, the mob of hoodlums, at the call of the Queen and her retainers, were gathering in the palace grounds. The Legislature was prorogued at 12 a. m. The revolutionary edict of Hawaii's misguided sovereign was ready to be proclaimed, rumors of which were already in the public ear. The storm of public indignation began to gather. A few minutes before the appointed hour for the *coup d'etat*, immediately after my reaching the legation from the *Boston*, I was urged to go at once to the English minister to ask him to accompany me to the Queen and try to dissuade her from her revolutionary design. I promptly sought to comply with this request, went immediately to the English minister, who was ready to cooperate with me if there were any possibility of effecting any good. We went immediately to the foreign office to seek access to the Queen in the customary manner.

The hour of proroguing the Legislature had arrived. The ceremony concluded, the Queen went immediately to the palace, around which the mob was gathering. It was too late for the American and English ministers even to attempt to reason with the maddened, misguided woman, who had already launched the revolution which could not be arrested, though her cowardly ministers of the lottery gang became alarmed and drew back. She scorned their cowardice and pushed on to her doom. Saturday night told every intelligent man in Honolulu that the Hawaiian monarchy was forever at an end—that the responsible persons of the islands, the property holders and the friends of law and order, must thereafter take charge of public affairs. The great mass meeting of January 16—worthy of the best American towns, of the best American days, was held. It was made up of the best and chief men of the country—the owners of property, the professional and educated citizens, merchants, bankers, clerks, mechanics, teachers, clergymen.

This assemblage was a unit in opinion and purpose. It was stirred by a common sentiment, the love of country and the desire for public order and public security. It took its measures wisely and prudently. Its committee of public safety asked us to land the men of the *Boston* lest riot and incendiarism might burst out in the night, for no reliable police force longer existed, and whatever there was of this force was now in the control of the usurpers and the lottery gamblers who had initiated the revolution. Under the diplomatic and naval rules, which were and are imperative, the U. S. minister and naval commander would have shamefully ignored their duty had they not landed the men of the *Boston* for the security of American life and property and the maintenance of public order, even had the committee of public safety not requested us to do.

As American representatives, 5,000 miles from our Government, we could not have escaped our responsibilities even had we desired to do so. Fortunately the commander of the *Boston* and those under his command had no desire to shirk their duty. They appreciated the obligations of American patriotism and the honor of the American Navy. The allurements of a semibarbaric court and palace had not blinded their eyes to the condition of things in Honolulu. On shore in perfect order, they stepped not an inch from the line of duty. They never lifted a finger in aid of the fallen monarchy.

The CHAIRMAN. Who was then chamberlain?

Mr. STEVENS. Mr. Robertson.

The CHAIRMAN. Who was prior to him?

Mr. STEVENS. MacFarlane.

The CHAIRMAN. Who preceded him?

Mr. STEVENS. MacFarlane was the chamberlain when I went there.

The CHAIRMAN. Was Mr. Carter ever chamberlain?

Mr. STEVENS. I think not. The brother of Chief Justice Judd was, and my impression is that no one was between him and McFarlane. When Liliuokalani came in she wanted this favorite of hers to be in the cabinet as minister of the interior, which was an important place, and he could not get any responsible person to serve with him. Then they compromised it by allowing him to be made marshal, which is an office of great power and patronage, under which Chinese and Japanese lottery gambling can be carried on. It requires a man of great integrity, lest there be abuses, and the office was one having the most power under the administration. Wilson wanted that, and he was made marshal and installed in the palace.

There is a good deal of history between that, and contained in my despatches, of wrangling, by which the different ones were put in. I have the legislative votes that took place prior to that. Three cabinets had been voted out in the course of a few weeks. Parker, Spencer, Wideman, and Paul Neuman voted out August 30, 1892, by 31 yeas to 10 nays. Parker, Macfarlane, Gulick, and Paul Neuman appointed September 12, 1892, and voted out October 17, 1892, by 31 yeas and 15 nays. November 1, 1892, Queen appointed Cornwell, Nawahi, Gulick, and Creighton, who were voted out the same day by 26 yeas to 13 nays.

The CHAIRMAN. Have you named all the persons?

Mr. STEVENS. Peter C. Jones, W. L. Wilcox, Mark P. Robinson, and Cecil Brown. Jones and Wilcox were two strong financial men, worth more than $200,000 each; were not politicians; but they accepted their offices as a matter of duty to the country. Mark P. Robinson was a prominent business man, and Cecil Brown was a lawyer. All four of this Cabinet are gentlemen of integrity, having the confidence of the financial public. We were away from the Hawaiian capital but ten days.

The CHAIRMAN. Just there, if you please. In reference to what expected difficulty or complication of political affairs in Hawaii do you speak when you say that it was for the first time safe for you to leave the islands?

Mr. STEVENS. The first time I deemed it safe for me to be away?

The CHAIRMAN. Yes; why?

Mr. STEVENS. For the reason that there was liable to be trouble.

The CHAIRMAN. Do you mean it was safe for the interests of the United States?

Mr. STEVENS. Safe for the interests of the United States.

The CHAIRMAN. Do you not mean safe for the opposing power to the then government?

Mr. STEVENS. I mean the American interests in the islands, the commercial interests. In general terms that means nearly the whole, so far as commercial interests are concerned.

The CHAIRMAN. Proceed.

Mr. STEVENS. It came to us.

The CHAIRMAN. You say it came to us. Whom do you mean?

Mr. STEVENS. Capt. Wiltse and to me. They sent out in boats. We got into the harbor about half past 10, and it took sometime to get to the wharf, and they came out in boats.

The CHAIRMAN. Who were the persons who informed you?

Mr. STEVENS. We were informed.

The CHAIRMAN. Any official information given to you?

Mr. STEVENS. No official communication, as I remember now.

The CHAIRMAN. Who was your aid-de-camp at that time?

Mr. STEVENS. I had none; there was no person allowed me.

The CHAIRMAN. Did any person come from the legation or the United States consulate to give you information of the situation there?

Mr. STEVENS. My impression is that Mr. Severance, the consul, sent a verbal message as soon as possible. And others sent verbal messages. There would be perhaps twenty boats to come off.

The CHAIRMAN. Was any message sent to you by the United States consul, Mr. Severance, or anybody else?

Mr. STEVENS. I do not know that there was; but I know that I received the information at once. My daughter with my carriage met me at the wharf with the most full information.

The CHAIRMAN. Well?

Mr. STEVENS. In spite of protests and earnest remonstrances by the Chamber of Commerce and a number of financial men of the country, the Queen immediately signed the iniquitous bills. Both she and the ring of adventurers who surrounded her expected there would thus be established a scheme to rob the people of millions of money.

The CHAIRMAN. Those expressions are intense and liberal. Do you mean that they are your personal conclusions, based upon your knowledge of the affairs there?

Mr. STEVENS. Knowledge of the bills before the Legislature and common rumor that had been going on all winter. The men in the lottery charter were, one man from St. Louis, another from Chicago, and several in Honolulu.

The CHAIRMAN. Did you, as the American minister resident in the Hawaiian Islands, receive any information in regard to the state of affairs which you have stated, and the purpose which actuated the Government, upon which you based the conclusions which you as minister came to as against the Queen's Government.

Mr. STEVENS. The information came to me from all sources. I will say here that my many years' experience prior to these three years in revolutionary countries, had taught me that it was absolutely necessary to keep myself informed, and in order to keep myself informed I had to have somebody in the different cliques or parties on whom I could rely to get information. I kept myself constantly posted.

Senator GRAY. And were you in communication with such persons?

Mr. STEVENS. Yes. There was a contest about this lottery charter. It was controverted in the newspapers for months and months, and all the facts were as notorious as facts would be in Washington about any great national measure here.

The CHAIRMAN. In seeking information about these matters, did you confer also with members of the Queen's Government, or persons officially connected with the Queen's Government?

Mr. STEVENS. From the time I went to Honolulu to the time I left, the adherents of the Queen, the royalists, had access to the legation more freely than anybody else.

The CHAIRMAN. Did you converse with them?

Mr. STEVENS. I conversed with them. Of course, I had to exercise a good deal of caution in conversing with anybody, and had to pick out those I conversed with.

The CHAIRMAN. You have stated that your conclusions were reached after conferences and consultations with the persons you have mentioned, and also from the debates as printed in the newspapers?

Mr. STEVENS. Upon debates. The newspapers published the debates

just as you do here, and the bills were published. They have three newspapers, and everything of that character comes out.

Senator GRAY. Did you avail yourself of the opportunities that were presented, of correspondence with other intelligent people than those connected with the Government, in order to inform yourself?

Mr. STEVENS. That is a very important point; I am glad you have asked me in regard to it. I wish to say that five islands constitute the main portion of the islands. Those islands are separate, and on them live influential men. In order to know exactly the state of affairs in Hawaii, you must know what is going on in the different islands, and who these important men are. It took me one year of careful investigation to find out who they were, and to find out the state of things—who is who and what is what. In doing that I availed myself of all the agencies in the community.

Senator GRAY. And you did not decline correspondence with anybody?

Mr. STEVENS. Not any. Of course I had to avoid compromising myself with anybody.

Senator GRAY. I meant, for the purpose of gaining information for yourself, not imparting it to anybody. You understood that?

Mr. STEVENS. Yes. In order to amend the constitution of Hawaii, the amendment must be submitted to one Legislature. Their sessions are biennial, and the amendment must be passed by one Legislature and resubmitted to the succeeding Legislature and passed.

The CHAIRMAN. By a majority vote?

Mr. STEVENS. I am not sure whether it is a two-thirds vote or a majority vote; but it must be submitted to the two Legislatures. Just at this moment I can not say whether it is a two-thirds vote or a majority; my impression is that it is two-thirds.

The CHAIRMAN. Before you left Honolulu on board the *Boston* to go to Hilo, did you have any knowledge or information of the movements of which you have just been speaking, in regard to a change of the constitution by the Queen?

Mr. STEVENS. Oh, that had been a mooted matter before. I ought to give some prior facts. In the Legislature before Liliuokalani came to the throne, Kalakaua was opposed by some persons, and he wanted to get his original power back.

The CHAIRMAN. By original power you mean the power he had prior to the constitution of '87?

Mr. STEVENS. Prior to that. In order to accomplish that, in the winter of '90 he had delegations of natives from the islands to demand a new constitution through a constitutional convention. That would have been revolutionary, and it alarmed the business men of the islands. They came to me and asked me to go to the King and advise him of the danger of that. I said I would provided they got those having English affiliations to have the English minister do the same. They got the English minister; he arranged the meeting.

The CHAIRMAN. Mr. Wodehouse?

Mr. STEVENS. Wodehouse. He strongly urged the King not to go into it, stating that it would be fatal to him. Then I followed, and went into it elaborately, stating that in my opinion he could not have gotten up a better scheme than that to overthrow the monarchy. I said, "If it is started, you do not know where it will end." The whites had made up their minds, if Kalakaua ever attempted that, they would break down the monarchy. It was hard for Kalakaua to take that advice. I stated it very courteously and kindly, and in a day or two he came around good naturedly and accepted our advice. When he was dead, and Liliuokalani came to be the sovereign, she said to the

chief justice, "What will be the consequence if I do not take the oath to that constitution?" The chief justice, who had been a supporter of the monarchy, said in his courteous way, "You could not be Queen." With this answer of the chief justice Liliuokalani took the oath to support the constitution.

The CHAIRMAN. If I understand you, the subject of changing the constitution so as to restore to the monarchy the ancient power that it possessed before 1887 was the subject of discussion and action also on the part of Kalakaua as well as Liliuokalani?

Mr. STEVENS. Certainly.

The CHAIRMAN. When you left on the *Boston* to go to Hilo did you know that the Queen had in contemplation, at that time or at any earlier period, to promulgate this constitution by a pronunciamento?

Mr. STEVENS. I had come to the conclusion, as many men had, that so many ministries having been voted out and she accepting this Wilcox-Jones ministry, and Wilson, the marshal, being on friendly relations with the attorney-general, Mr. Brown, he thinking he was going to be kept in—putting all the facts together, the lottery bill dead, and the opium bill dead, we had made up our minds that the Queen and her favorite would abide by the ministry for eighteen months, or until the meeting of the new Legislature, and I did not dream of any revolution that the Queen had on foot.

The CHAIRMAN. Let me ask. After the Queen prorogued the Legislature would she have had authority to dismiss the ministry and reappoint another without assembling the Legislature?

Mr. STEVENS. She could not remove the ministry except upon a vote of want of confidence by the Legislature. That was the constitution.

The CHAIRMAN. That is the only way in which she could do it?

Mr. STEVENS. The only way—by a vote of want of confidence.

The CHAIRMAN. And, as I understand, you felt that no change of the constitution could take place?

Mr. STEVENS. Certainly.

The CHAIRMAN. And that relieved your mind of any apprehension that there would be any effort made to revolutionize the Government with respect to the constitution?

Mr. STEVENS. Certainly. We considered that those four ministers for the next eighteen months would be the Government—for all practical purposes.

The CHAIRMAN. Let me ask whether, if you had in contemplation anything of that kind, you would have felt authorized, as the American minister resident, to go away as you did?

Mr. STEVENS. I would not. If I had thought she had that revolutionizing plan on hand, it would not have been proper for me to have gone away.

The CHAIRMAN. Why?

Mr. STEVENS. Because I think I could have given her advice. I would have given her the advice that it would ruin public business and endanger life.

The CHAIRMAN. You felt at that time that the interests of the people of the United States would be exposed to danger?

Mr. STEVENS. Exposed to danger.

The CHAIRMAN. And you felt——

Mr. STEVENS. It would be my duty to go to her, as I had before gone to Kalakaua.

The CHAIRMAN. Ships of war of the United States had been kept in the harbor of Honolulu for some time?

Mr. STEVENS. Yes.

The CHAIRMAN. How many years?

Mr. STEVENS. Probably thirty-five or forty.

The CHAIRMAN. Was there ever a time during your residence there as minister of the United States when there was no ship of war in the harbor, no ship assigned to duty there?

Mr. STEVENS. I do not think there was any time when there was no ship of war there, unless the ship was out of the harbor for target practice, or gone to Hilo, a trip of a few days.

The CHAIRMAN. But assigned to duty there?

Mr. STEVENS. I do not think there was a single month, while I was there, that a United States ship was not assigned for duty at Honolulu?

The CHAIRMAN. What is the necessity of the United States keeping a ship of war in Honolulu, or in reach of the Hawaiian Islands?

Mr. STEVENS. Because of the liability to anarchy. And why? To illustrate that point, this was no new thing—the landing of troops. It was done at least three times prior to January, 1893, if not more. I remember three. Prior to this at different times the official representatives of the Queen came to me and asked me to be in readiness to land soldiers; that there were certain contingencies before them that they could not provide for; and more than that number of times the naval officers of the different ships got everything in readiness.

Senator GRAY. What was the nature of those contingencies?

Mr. STEVENS. I will give this one: Prior to the overthrow of the Queen and the uprising of the business men to have a new government, many of the natives under the lead of Robert Wilcox, half white, and others who were hostile to Wilson, the favorite, because he stood between the natives and the Queen, engaged in revolutionary efforts.

Senator GRAY. They were jealous of him?

Mr. STEVENS. Jealous of Wilson, and that was the key to their action. For many months they were organized, my information was. It came in many ways, not only from those who were engaged in it, but from the Queen's Government. They contemplated her overthrow. That party was led by Mr. Wilcox, the same man who was in collusion with Liliuokalani in 1889, a few months before I arrived there, to change the constitution. Mr. Wilcox and several prominent white men of the adventurers class had organized what they called a Liberal Hawaiian League, and they had a military organization as well. Their constant fear was that we would not permit the Queen to be overthrown, and of course they always took occasion to find out what the naval officer and American minister would do if they undertook to overthrow the Queen. I could not make my instructions and intentions known.

The Queen was anxious to have me informed of her danger, and the Wilcox faction was anxious to know whether I would interfere in defense of the Queen. Of course, I had to keep noncommittal. That party would have dethroned the Queen if they had had the help of the white people. But the whites said, "No; we can not accept the Government from their hands." Consequently, there was a state of uneasiness, of uncertainty, all the time, as there had been months before I arrived there. Mr. Merrill had an experience with it for two years, beginning with the revolution of 1887. After they got in the cabinet of 1887 they had a peaceful time up to the Wilcox outbreak, a few weeks before I arrived in the country.

The CHAIRMAN. Is the Wilcox of whom you speak the man who was educated in the military school in Italy?

Mr. STEVENS. Yes.

The CHAIRMAN. Is there any other man of prominence of that name there?

Mr. STEVENS. There are three or four who are prominent.

The CHAIRMAN. I mean of that name?

Mr. STEVENS. Yes; the Wilcox in the Jones ministry was a very different person from the Wilcox who led the outbreak of 1889—he had been a member of the Legislature, but was not a politician. I refer to the member of the Jones cabinet. There were three or four of the name of Wilcox; but they were not related to Robert, the man at the head of the revolutionary movement.

The CHAIRMAN. Is the man who was in the Jones ministry an American?

Mr. STEVENS. An American of pure blood. His father was a missionary. He lives on the island of Kauai—a man of business, education, and of high character.

The CHAIRMAN. Is he officially connected with the Provisional Government?

Mr. STEVENS. Only as an adviser and supporter.

The CHAIRMAN. Not officially?

Mr. STEVENS. He was in the Jones ministry.

The CHAIRMAN. Which was succeeded by the Peterson cabinet?

Mr. STEVENS. Yes; the Peterson cabinet.

The CHAIRMAN. Proceed.

Mr. STEVENS. I need not restate, I suppose, what I have already said, and will proceed as requested.

The CHAIRMAN. The matters of which you are speaking occurred before you landed?

Mr. STEVENS. Before we landed and while we were landing.

The CHAIRMAN. Before you personally landed?

Mr. STEVENS. Before 12 o'clock was when I arrived. I am coming to that. As soon as I had arrived at the legation I was informed of the strong rumor that the Queen was about to attempt to proclaim a new constitution; and I was urged to go at once to seek the cooperation of the English minister to dissuade the Queen from her design.

The CHAIRMAN. Who made that request of you?

Mr. STEVENS. That came through Judge Hartwell. He has been there twenty years, an American by birth, but married his wife there. He is a graduate of Harvard, and one of the leading lawyers of the islands and has been one of the supreme judges. As before stated, I at once endeavored to comply with this request. I went as soon as possible to the English minister and asked him to go with me to see the Queen. We went to the foreign office to seek an interview with the Queen in the customary manner.

The customary manner was to send it, of course, through the minister of foreign affairs.

Senator BUTLER. Did you get access to the Queen?

Mr. STEVENS. The Minister of Foreign Affairs had gone to the ceremony of proroguing the Legislature. He came into the foreign minister's office. We staid in there two or three minutes—asked two or three questions. That was the first time I was let into the plot that there was to be a new constitution. He was very cautious as to what he said. I was not there when the invitations were sent out to come to the palace and receive a glass of wine.

I did not go to the palace, but the other officials did. Before the time arrived Mr. Wodehouse, who had been there so many years, said: "It is unusual for us to have this at the close of the Legislature," and the whole thing came into my mind what the Queen

intended—she intended to have all the foreign officials there, with all the éclat possible. There were only five minutes left, and she had already gone into the palace. If we had been two hours earlier, we could perhaps have gotten at her and accomplished something. I did not go to the palace with the other foreign officials. Being absent on the *Boston* when the cards of invitation were sent out, I had received none to go to the palace, nor to the proroguing of the Legislature at 12 o'clock that day.

And only those present in Honolulu could know how thoroughly the monarchy was dead after the Queen's revolutionary attempt to proclaim a new constitution on the afternoon of July 14. I have already given account of the mass meeting, mostly of white citizens, of the appointment of a committee of safety, and of their request of us to land the naval force.

The CHAIRMAN. You say "us." Whom do you mean?

Mr. STEVENS. Myself and Capt. Wiltse.

The CHAIRMAN. Do you mean that they made a joint request of you, or separate?

Mr. STEVENS. They made the request to me.

The CHAIRMAN. And not to Capt. Wiltse?

Mr. STEVENS. Not to Capt. Wiltse. They always make it to the diplomatic officer.

The CHAIRMAN. In what form is that request made?

Mr. STEVENS. In a note.

The CHAIRMAN. By whom?

Mr. STEVENS. The committee of public safety.

The CHAIRMAN. Addressed to you, where?

Mr. STEVENS. At the legation.

The CHAIRMAN. How long before you had arrived there?

Mr. STEVENS. I arrived there on Saturday, and this meeting of the committee of public safety was on Monday. After the committee of public safety had been chosen, they made this request.

The CHAIRMAN. Was there any reason for making the request for the landing of the troops?

Mr. STEVENS. Only the fears of the citizens.

The CHAIRMAN. I want to know whether any request had been made upon you before that time?

Mr. STEVENS. No, only so far as individual citizens made representations of the danger.

The CHAIRMAN. Individual citizens did appear before you to represent the danger?

Mr. STEVENS. Yes. Especially did I have a note from Rev. Mr. Bishop, a man 65 years of age, born on the islands. He has everybody's confidence. He informed me on Sunday that the Kahunas of the Queen, the sorcerers, were evidently around the Queen, and there were serious times ahead. He did not ask me, but he stated that that I might know the danger. I learned from other sources, of persons who knew perfectly well, if I did not do so, the legation would be crowded with many people fearing what might happen during the night.

The CHAIRMAN. They would come there for protection?

Mr. STEVENS. Yes.

The CHAIRMAN. Who is this Rev. Mr. Bishop of whom you spoke?

Mr. STEVENS. He was born on the islands; his father was a missionary; he was educated at a New York college. He has been identified with the islands for sixty-five years.

The CHAIRMAN. There is another Mr. Bishop who is very wealthy?

Mr. STEVENS. He is a banker.

The CHAIRMAN. Are they related?

Mr. STEVENS. No. Mr. Bishop, the banker, is a native of New York; the other, I rather think, is the son of a Connecticut man.

The CHAIRMAN. A missionary?

Mr. STEVENS. Yes.

The CHAIRMAN. Is this man, the Rev. Mr. Bishop, of whom you speak, a man of substance and property?

Mr. STEVENS. He has some property; I do not know how much.

The CHAIRMAN. Any wealth?

Mr. STEVENS. Not wealthy.

The CHAIRMAN. Is he reputable?

Mr. STEVENS. Highly reputable. He is known outside of the islands as a man of science.

The CHAIRMAN. In addition to Mr. Bishop did other persons come to you and admonish you of the state of danger?

Mr. STEVENS. Prior to my arrival—I had left one daughter at home and my wife——

The CHAIRMAN. You were informed of that on your return?

Mr. STEVENS. Before we returned, for many hours, persons in anxiety had been coming to the legation, hoping for the *Boston* to come back, lest something should turn up. The royalists were divided into two cliques, and loyalists came to the legation in anxiety as well as others.

The CHAIRMAN. To make it a little more clear, I will ask you whether, on your arrival, your family, including your wife, informed you that persons had been there to inform you in regard to the state of the public mind?

Mr. STEVENS. Precisely; and of their anxiety that the *Boston* should return.

The CHAIRMAN. Did they give you that information immediately on your arrival?

Mr. STEVENS. Yes.

The CHAIRMAN. Did they seem to be concerned about it?

Mr. STEVENS. Yes; they thought they were safe when the *Boston* got there and I got back.

The CHAIRMAN. After your arrival there, and after receiving this information from your family, you spoke of Mr. Bishop coming to talk with you personally. Were there other persons who came to talk with you?

Mr. STEVENS. I came in contact with a good many persons.

The CHAIRMAN. At the legation?

Mr. STEVENS. At the legation, where I kept myself except for two or three hours that I was at the Government buildings, for the new ministers had got frightened and they sent to me. They sent to Mr. Wodehouse and the other diplomatic representatives to come to the Government building, and we went there and waited two hours.

The CHAIRMAN. What ministers do you speak of?

Mr. STEVENS. Foreign ministers.

The CHAIRMAN. Representatives of foreign governments.

Mr. STEVENS. Yes.

The CHAIRMAN. Were they all invited?

Mr. STEVENS. They all came over to the Government building while all this wrangling was going on about the Queen's constitution.

The CHAIRMAN. Did you join that party?

Mr. STEVENS. I went over that afternoon to hear what they had to say, to find out about the constitution and obtain other information.

The CHAIRMAN. Did you meet them at the Government building?

Mr. STEVENS. Yes; we were there probably two hours.

The CHAIRMAN. Was any representative of a foreign government missing on that occasion?

Mr. STEVENS. I do not remember any.

The CHAIRMAN. You can state that it was a general conference.

Mr. STEVENS. Oh, they invited the whole of them.

The CHAIRMAN. Who invited them?

Mr. STEVENS. The invitation to come came from the clerk of the new minister of the interior, who got alarmed.

The CHAIRMAN. Who was the minister of the interior?

Mr. STEVENS. I do not positively remember, but I think Colburn.

The CHAIRMAN. And the invitation came from Liliuokalani's minister of the interior to you?

Mr. STEVENS. Yes; the chief clerk, Mr. Hassinger, who had been there for years, brought it to me at the legation.

The CHAIRMAN. Did he ask you to come to the Government building?

Mr. STEVENS. Yes.

The CHAIRMAN. Did he tell you that there was an assemblage of the foreign ministers at the Government building?

Mr. STEVENS. I am not sure; but I think he did.

The CHAIRMAN. Well, when you got there——

Mr. STEVENS. One or two came in after I arrived; but we all left about the same time. We waited for the denouement at the palace, but two of the new ministers were afraid to go back to the palace.

The CHAIRMAN. What two ministers were afraid?

Mr. STEVENS. Colburn and Cornwall seemed to be alarmed.

The CHAIRMAN. What made you think they were alarmed?

Mr. STEVENS. Their appearance, and in sending for us. Then it came out that they were afraid to go to the palace. Their manner showed it.

The CHAIRMAN. Was there anything that indicated it?

Mr. STEVENS. Only their sending for us and their general appearance—their going backwards and forwards from and to the palace.

The CHAIRMAN. Were they passing backwards and forwards between your meeting and the palace?

Mr. STEVENS. Not between us. Finally, when Cornwall and Colburn left us, the message came from Mr. Parker, the minister of foreign affairs, and they left us and went to the palace, and I waited perhaps an hour or more and I went back to the legation and remained.

The CHAIRMAN. On those occasions when Liliuokalani's ministers were present, was any intimation given or proposition submitted to the foreign representatives in respect of the protection that should be extended to American citizens or anyone else?

Mr. STEVENS. They made no intimation to us. They asked us at first to come there. We went there and waited, and did not confer with each other what to do.

Senator BUTLER. What day was that?

Mr. STEVENS. That was on Saturday afternoon, January 14, the same Saturday afternoon when the Queen was present at the palace with the mob and the Queen's guard around it, and the chief justice was with her.

Senator BUTLER. That was the day the *Boston* returned?

Mr. STEVENS. Yes.

Senator BUTLER. That was the day before this public meeting of which you spoke?

Mr. STEVENS. Two days before.

The CHAIRMAN. You spoke of a mob about the palace. Do you mean a disorganized body of men?

Mr. STEVENS. Disorganized body of natives; retainers who had been dressed up respectably, and their leader had a constitution on a velvet cushion.

The CHAIRMAN. I am going into the inquiry whether, in the American acceptation of the word, that was a mob or an assemblage of the Queen's supporters.

Mr. STEVENS. That was, in the general acceptation of the word, a mob; you may call it an assemblage.

The CHAIRMAN. Was there any mob violence?

Mr. STEVENS. The information came to me direct that when the Queen was baffled, when they learned that the Queen would not proclaim that constitution at that time, they swore they would kill her. I suppose that was a temporary outbreak. While I was not in that crowd, I received more reliable information from the chief justice of what took place, and of the wrangle between the Queen and Peterson about the constitution—of the Queen turning upon him and stating, "You have had that in your pocket for two or three weeks." I am not positive that I received these words from the chief justice. It came to me in such a form that I took it as correct.

The CHAIRMAN. Who was it informed you?

Mr. STEVENS. Several parties.

The CHAIRMAN. Can you name them?

Mr. STEVENS. The strongest testimony came from the chief justice. Whether he used that specific language or not, or I received that specific language from the chief justice, I could not say, because there were so many talked to me on the subject. But information as to the scenes in the palace and the revolutionary state of things came from the chief justice, who was there four hours.

The CHAIRMAN. All of which transpired before you went to the palace?

Mr. STEVENS. No; all that transpired while we were over at the Government building and after we had left.

The CHAIRMAN. Before you went to the palace?

Mr. STEVENS. I did not go to the palace that day. The officals were at the palace at 12 o'clock.

The CHAIRMAN. At the palace?

Mr. STEVENS. Where the scenes took place.

The CHAIRMAN. I was going to ask the question, where the mob was assembled?

Mr. STEVENS. Yes. It was at the palace that this constitution was expected to be proclaimed.

The CHAIRMAN. You did not enter into that crowd?

Mr. STEVENS. Not at all. I went home to dinner, and this invitation of the minister of the interior was for us to come at half-past one. We went over to the Government building, and were there from one to two hours.

The CHAIRMAN. My point is that you did not go to the palace that afternoon.

Mr. STEVENS. No; I attempted to go, but failed, as I have before testified, owing to it being too late.

The CHAIRMAN. Are you able to state from information that came to you, beside that from the committee of safety, that you would be

willing and found yourself authorized, and, of course, compelled as a matter of public duty, to ask Capt. Wiltse to land troops?

Mr. STEVENS. I would have felt it necessary if the committee of safety had not made any request.

The CHAIRMAN. Based upon your judgment of the situation?

Mr. STEVENS. Upon my judgment of the situation. My only fear was that I delayed it twenty-four hours too long. Had anything happened Sunday night it would have been my risk. The landing of troops is something serious. I had previously discouraged it. When I did request it, I said it must be solely for the protection of American life and property. I used the old formula, which does not go so far as the formula given by Mr. Bayard to Mr. Merrill in 1887. I will read the substance of the Bayard dispatch.

"UNITED STATES DEPARTMENT OF STATE,
"*Washington, July 12, 1887.*

* * * * * * *

"In the absence of any detailed information from you of the late disorders in the domestic control of Hawaii and the changes which have taken place in the official corps of that Government, I am not able to give you other than general instructions, which may be communicated in substance to the commander of vessel or vessels of this Government, in the waters of Hawaii, with whom you will freely confer, in order that such prompt and efficient action may be taken as the circumstances may make necessary.

"While we abstain from interference with the domestic affairs of Hawaii, in accordance with the policy and practice of this Government, yet, obstruction to the channels of legitimate commerce under existing law must not be allowed, and *American citizens in Hawaii must be protected in their persons and property*, by the representatives of their country's law and power, *and no internal discord must be suffered to impair them.*

"Your own aid and council, as well as the assistance of the officers of the Government vessels, if found necessary, will *therefore be promptly afforded to promote the reign of law and respect for orderly government in Hawaii.*

* * * * * * *

"T. F. BAYARD,
"*Secretary of State.*"

The CHAIRMAN. Have you any further statement to make in regard to the matter?

Mr. STEVENS. Not on that point. I can answer any questions. Perhaps I will put in here that when I went on board to Captain Wiltse with my request, which said only for the protection of life and property, I found that he had his order to the officers already drawn. I found it was copied from the naval order, standing order, which covered more than mine did. He said to me, "If you think it better to strike that out, I will do so." I said, "Inasmuch as it is in the naval order and Mr. Bayard's instructions, I have no right to ask you to strike it out."

The CHAIRMAN. That conversation between you and Captain Wiltse occurred on Monday?

Mr. STEVENS. That occurred on Monday, after I went on board.

The CHAIRMAN. About what hour?

Mr. STEVENS. I should think not far from 4 o'clock; he landed about 5, and it may have been 4 o'clock.

The CHAIRMAN. When Capt. Wiltse landed where?

Mr. STEVENS. Landed from the *Boston* on shore.

The CHAIRMAN. Landed the troops?

Mr. STEVENS. The troops. I went on board to confer with him, carrying with me my request with him to land the troops.

The CHAIRMAN. That was the first communication you had with the ship?

Mr. STEVENS. Yes.

The CHAIRMAN. Did you send any message to Capt. Wiltse before that?

Mr. STEVENS. No.

The CHAIRMAN. To any officers of the ship?

Mr. STEVENS. Not that I remember.

The CHAIRMAN. And when you got on board Capt. Wiltse had his orders already drawn up?

Mr. STEVENS. Yes.

The CHAIRMAN. In writing?

Mr. STEVENS. Yes.

The CHAIRMAN. And they were submitted to you?

Mr. STEVENS. Submitted to me.

The CHAIRMAN. In what form?

Mr. STEVENS. One that had been in the Navy for years. Mr. Bayard's was the last one issued, and it seems that the Navy Department's instructions covered all that Mr. Bayard's covered. When I drew my request, I had forgotten Mr. Bayard's instructions. I read them when I went to the legation. Mine simply recited, "for the protection of American life and property;" but when I saw Capt. Wiltse's, I saw that it was in substance the same as Mr. Bayard's. I have Mr. Bayard's here.

The CHAIRMAN. Was the order that Capt. Wiltse had drawn up identical with the instructions you are about to read?

Mr. STEVENS. Identical in substance; and I think the wording is exactly the same.

My request to Capt. Wiltse is the following:

"UNITED STATES LEGATION,
"*Honolulu, January 16, 1893.*

"SIR: In view of the existing critical circumstances in Honolulu, indicating an inadequate legal force, I request you to land marines and sailors from the ship under your command for the protection of the United States Legation and United States consulate, and to secure the safety of American life and property.

"Very truly, yours,

"JOHN L. STEVENS,
"*Envoy Extraordinary and Minister Plenipotentiary of the United States.*

"Capt. G. C. WILTSE,
"*Commander of the U. S. S. Boston.*"

The order of Capt. Wiltse, as read by him to me when I went on board the *Boston*, goes farther than mine. It not only requires the protection of American life and property, but the preservation of public order.

That goes considerably further than my request went.

The CHAIRMAN. Here is the order of Capt. Wiltse under which the troops were landed from the *Boston.*

"U. S. S. BOSTON, SECOND RATE,
"*Honolulu, Hawaiian Islands, January 16, 1893.*

"Lieut. Commander W. T. SWINBURNE
"*U. S. navy, Executive Officer U. S. S. Boston:*"

"SIR: You will take command of the battalion, and land in Honolulu, for the purpose of protecting our legation, consulate, and the lives and property of American citizens, and to assist in preserving public order.

"Great prudence must be exercised by both officers and men, and no action taken that is not fully warranted by the condition of affairs, and by the conduct of those who may be inimical to the treaty rights of American citizens.

"You will inform me at the earliest practicable moment of any change in the situation.

"Very respectfully,

"G. C. WILTSE,
"*Captain, U. S. Navy, commanding U. S. S. Boston.*"

You say when you got on board ship that Monday afternoon, that order of Capt. Wiltse had been drawn up?

Mr. STEVENS. Had been drawn up, a rough draft; whether Capt. Wiltse changed it afterwards, I could not say.

The CHAIRMAN. Is it your recollection that that order which was drawn up before you arrived on the ship and presented to you after your arrival, was identical with this order I have just read?

Mr. STEVENS. As nearly as I can remember.

The CHAIRMAN. That is the best of your recollection—that it is identical with the order Capt. Wiltse read to you?

Mr. STEVENS. It so strikes me.

The CHAIRMAN. Did you and Capt. Wiltse have any discussion on the subject?

Mr. STEVENS. Only on this one point—the preservation of public order. I said first, that is not in my request; but I recalled that it was in Mr. Bayard's, and Capt. Wiltse was ready to strike it out.

The CHAIRMAN. You speak of "my order."

Mr. STEVENS. I did not say "my order." The order that I referred to, my order, was a mere request.

The CHAIRMAN. What do you mean by "my" order; the request you sent to Capt. Wiltse?

Mr. STEVENS. My request that I meant to send to Capt. Wiltse for landing the troops.

The CHAIRMAN. Had you sent that request before you went aboard the ship?

Mr. STEVENS. No; I carried it in person.

The CHAIRMAN. Had you any way of communicating with Capt. Wiltse before you went on board the ship?

Mr. STEVENS. I do not know that I had any. But I had conferred with Capt. Wiltse at different times, and he knew what would be the form.

The CHAIRMAN. Had you conferred with him between Saturday and Monday afternoon?

Mr. STEVENS. I do not recall. He may have called at the legation a half dozen times; probably he did; but I could not say.

The CHAIRMAN. Do you remember whether you had any conference with him between Saturday and Monday afternoon with regard to the form of the orders that he would give to his troops, or the form of the request you would make of him?

Mr. STEVENS. Not the slightest. The only talk about form was on board the ship.

The CHAIRMAN. If I have a correct view of your testimony it is that when you arrived on board the ship you found that Capt. Wiltse had drawn up this order, which I have just read to you?

Mr. STEVENS. I think it is identical.

The CHAIRMAN. He had drawn up this order and had it ready to deliver to his subordinate?

Mr. STEVENS. That is it.

The CHAIRMAN. Did you find a complete state of military preparation for landing the troops when you got on board the ship?

Mr. STEVENS. So far as I could judge; I saw the officers in the cabin and I got that statement, that they were ready to land.

The CHAIRMAN. Do you know on what request or demand Capt. Wiltse responded when he prepared this order for the landing of the troops on shore?

Mr. STEVENS. On my request as the American minister.

Senator FRYE. But you had not made it?

Mr. STEVENS. When I got on board of the ship——

Senator FRYE. Before that. The chairman asks if the troops were ready when you got on board—whether the order of Capt. Wiltse was in writing when you got on board.

Mr. STEVENS. Yes.

Senator FRYE. But had not been delivered?

Mr. STEVENS. No.

Senator FRYE. At whose request or demand had Capt. Wiltse made this preparation in advance?

Mr. STEVENS. Undoubtedly on his knowledge of the situation. He may have come to the legation, and the consul was around and had written to the captain about it. He had gotten ready so many times, and these all knew perfectly well that mine would be a mere form of official request.

The CHAIRMAN. Would you, as United States minister at Honolulu, have extended to Capt. Wiltse any order or request not in writing, which you would have expected him to comply with or obey about so grave a matter as the landing of troops?

Mr. STEVENS. No; I made no request except one in writing. I have no remembrance of any verbal request, but he called at the legation frequently.

The CHAIRMAN. And it is quite likely you discussed the situation?

Mr. STEVENS. Yes; we had discussed it running up to Hilo and back.

The CHAIRMAN. Now, I understand you to testify that Capt. Wiltse, commanding that ship, did not have from you any written request or authority to put his troops in condition for landing and conducting military operations before the time you arrived, at 4 o'clock or thereabouts, on Monday, and that you then took the request in writing with you?

Mr. STEVENS. I think I did. That is my memory.

The CHAIRMAN. Have you any recollection of having communicated with him—made any written request whatever before that?

Mr. STEVENS. I have no recollection of it.

The CHAIRMAN. Are you sure you did not?

Mr. STEVENS. I think I did not. It is barely possible I sent him a note speaking of the danger on shore; but I think not, because the naval officers were as well aware of that danger.

The CHAIRMAN. Did you send him any request?

Mr. STEVENS. None except that which is on file.

The CHAIRMAN. And which you took with you?

Mr. STEVENS. I think I took it with me; I have no recollection of sending it by any person. That is my memory.

The CHAIRMAN. Is that the paper which you prepared and presented to Capt. Wiltse and upon which the discussion arose as to a more enlarged scope of the order which he gave to Capt. Swinburne?

Mr. STEVENS. That is all; and perhaps it was not more than two minutes' talk. After I carried my note, we compared them and found out the difference.

The CHAIRMAN. Your attention was called to the fact that Capt. Wiltse's order——

Mr. STEVENS. Went further than mine.

The CHAIRMAN. Upon what precedent had you formulated the order which you took with you on board the ship?

Mr. STEVENS. I had been in a revolutionary country before as minister, and I had gotten used to the formula, and the request that I carried to Capt. Wiltse was the formula I was then familiar with. The files of the legation show that. I knew that Mr. Bayard's instructions went further; but they had passed out of my recollection. When I saw Capt. Wiltse's order, I remembered that Mr. Bayard's went further than mine.

The CHAIRMAN. Where were you a minister before?

Mr. STEVENS. In 1867, 1870, 1871, and 1873 in Paraguay and Uruguay. Uruguay was in civil war nearly all the time.

The CHAIRMAN. You were minister there?

Mr. STEVENS. Had charge of the legation.

The CHAIRMAN. How long did you stay there?

Mr. STEVENS. Three years. Paraguay had just gotten through that struggle with Brazil, and Uruguay was in a state of war for two years and a half, which was settled during my residence there.

The CHAIRMAN. So that you had gotten familiar with the duties of U. S. minister under the circumstances you have given?

Mr. STEVENS. Yes; and the responsibilities of a naval commander, which made me exceedingly careful on every point.

The CHAIRMAN. Had you returned on shore before the troops left the ship?

Mr. STEVENS. Before the troops left the ship.

The CHAIRMAN. Where did you go?

Mr. STEVENS. To the legation.

The CHAIRMAN. Did you give any orders or advice as to the manner of landing the troops, the streets through which the troops were to proceed or march, the place at which they were to be posted, or the place where they were to be encamped?

Mr. STEVENS. At first we arranged that a portion should go to the United States consulate.

The CHAIRMAN. Who arranged?

Mr. STEVENS. Capt. Wiltse and I.

The CHAIRMAN. Where was that done?

Mr. STEVENS. On board the ship. And as many at the legation as we could take. If our grounds could take any more, we would; but we could not encamp more than 15 or 18. I assumed that the marines

had their camp utensils, and I then learned that they needed a hall for the first time——

The CHAIRMAN. Why did you request that any troops be sent to the legation?

Mr. STEVENS. Why did I?

The CHAIRMAN. Yes.

Mr. STEVENS. For the reason that the state of anarchy in which the city was, and knowing that the only government which existed there was that committee of safety and the citizens back of it, and the military force that we had—knowing that the legation is the one of all other places around which there should be some men, and that was a more important part of the city where a dozen men could be sent this way or that way to take care of the contingencies of fires. By stating a little more in this connection you will understand it better. The only two things that were new to me on the part of the request of the naval officers was this: So soon as we found that they were to land I learned from Capt. Wiltse and his officers that they must have a hall to stay in and maps of the city for use in case of fires. So that from the time I struck the legation, at 4 o'clock, up to nearly 10 o'clock, my entire time was consumed in finding maps and a hall for the officers and men for the night.

The CHAIRMAN. Did you go out in town?

Mr. STEVENS. I stayed at the legation and sent a messenger.

The CHAIRMAN. Whom did you send?

Mr. STEVENS. Mr. Pringle.

The CHAIRMAN. Your aide-de-camp?

Mr. STEVENS. Yes.

The CHAIRMAN. Did you, at the time you left the ship and made this arrangement with Capt. Wiltse, have any apprehension that there was any danger of life and property at the American legation?

Mr. STEVENS. I knew this, that there was a liability of a crank—or irresponsible persons—liable to come there and alarm my family.

The CHAIRMAN. Did you expect that the Queen's government or any mob of citizens of Hawaii would possibly or probably attack the American legation?

Mr. STEVENS. No. What we alluded to were irresponsible parties in the night setting fire to property.

The CHAIRMAN. You apprehended that danger?

Mr. STEVENS. We apprehended that danger.

The CHAIRMAN. Did you apprehend that danger?

Mr. STEVENS. I apprehended it, or I would not have consented to the landing of the troops.

The CHAIRMAN. Did you apprehend it as an attack on the legation?

Mr. STEVENS. I did not apprehend that the representatives of the Government or the Queen would have anything to do with that.

The CHAIRMAN. You also agreed that Capt. Wiltse should send a detachment to the consulate?

Mr. STEVENS. Yes.

The CHAIRMAN. Had Mr. Severance requested the presence of any troops there?

Mr. STEVENS. Prior to my visit on board ship, without my knowledge, Mr. Severance had communicated his fear to Capt. Wiltse.

The CHAIRMAN. Did Capt. Wiltse so tell you?

Mr. STEVENS. Capt. Wiltse so told me. And, still more, Capt. Wiltse had the note, and while I was on board the consul telephoned Capt. Wiltse that he would give a signal in case there was an outbreak.

The CHAIRMAN. Was there telephonic communication between the ship and the shore?

Mr. STEVENS. Between the ship and shore. All our naval vessels, so soon as they get in the harbor, make telephonic connection.

The CHAIRMAN. You say Mr. Severance sent a note to Capt. Wiltse?

Mr. STEVENS. Sent a note.

The CHAIRMAN. Did you see it?

Mr. STEVENS. Yes.

The CHAIRMAN. What was in it?

Mr. STEVENS. It was a brief note. I think I have it. Moreover, he telephoned at the time that I was on board.

The CHAIRMAN. Where is that note?

Mr. STEVENS. That is it [producing paper].

The CHAIRMAN. Is this the original note, or a copy of it?

Mr. STEVENS. That is the original.

The CHAIRMAN. I will read this. It is headed personal:

"HONOLULU, *January* ——, *1893.*

"MY DEAR CAPTAIN: In case of any outbreak or collision with the committee of safety at the mass meeting to-day and the Government forces with a view of suppressing said meeting, it might be necessary to land a force to preserve order or protect our property. In such case, should the telephone wires be cut, I can send you a signal by lowering my flag at half mast, and you will, of course, be governed by instructions from Minister Stevens. It is reported this a. m. that the mass meeting of the citizens will be interfered with or broken up by the Queen's forces. A mass meeting is reported to be held at the same hours.

"Very truly,

"H. W. SEVERANCE,
"*Consul-General.*

"Capt. WILTSE,
"*Captain of the United States Ship Boston.*"

Before you left to go on board the ship did you have any conference with Mr. Severance?

Mr. STEVENS. I did not.

The CHAIRMAN. Was there any?

Mr. STEVENS. I did not know that that note was written until I got on board, or thought that a note was written.

The CHAIRMAN. Was it by virtue of that note that you and Capt. Wiltse agreed that troops should be left there at the consulate?

Mr. STEVENS. I think I could have recommended, even if the consul's note had not been sent, because that is the usual way when there is trouble in a country, that the legislation and consulates are provided for. I made the same rule there.

The CHAIRMAN. When these troops were so disposed as to place a detachment at the consulate and another at the legation, was it the honest and *bona fide* intention of yourself, and, so far as you know, of Capt. Wiltse, to give protection to those American establishments, or was it the intention and purpose to make a display of the American forces at these respective points under the assurance of the American flag, or was it because of the movement of a popular character which you knew to be on foot for the purpose of overthrowing the Queen and the establishment of a new government?

Mr. STEVENS. It had sole relation to the protection of American life and property and, if you wish to cover it by Mr. Bayard's order, for the preservation of public order. I did not feel like going so far as that.

The CHAIRMAN. At the time you made this request upon Capt. Wiltse, and at the time you made this disposition of the troops, did you know of the existence of a purpose on the part of any of the citizens of Hawaii to organize an opposition to the Queen's Government, with a view to overthrowing or subverting it in any respect?

Mr. STEVENS. All day Sunday and Monday when the meeting was held, everything was open and public, just as in a railroad meeting in any city—everybody knew it; reasons to believe there was no effective opposition. I believed the movements of the opponents of the monarchy were irresistible, and everybody understood what was going on.

The CHAIRMAN. Did you know of the actual organization on Monday evening?

Mr. STEVENS. I did not, only by such information as I could get. I put myself in contact with the Queen's representatives; they had access to the legation, and I would inquire very cautiously about this and that and a great many things. Many of the friends of the Provisional Government I knew, and a great many I did not.

The CHAIRMAN. Did you know of a programme, or whatever it was, before you went on board the ship, for the establishment of the new Government?

Mr. STEVENS. I could not help but know it; it was all the talk Sunday and Monday. I knew it by the general appearance of things and the talk; the leaders did not communicate their plans to me.

The CHAIRMAN. As I understand, the public meeting had not been held at that time?

Mr. STEVENS. It had been arranged for.

The CHAIRMAN. How did you know that?

Mr. STEVENS. By constant reports to the legation, both from royalists and others.

The CHAIRMAN. It was information that you had?

Mr. STEVENS. I did not go to church that day; I think I remained home all day.

The CHAIRMAN. Did you derive that information, before you went on board that ship, from a report or statement made to you by any member of a body that had organized or had agreed they would organize a Provisional Government?

Mr. STEVENS. No; I think the representative men who were in it refrained from communicating their details.

The CHAIRMAN. Did they communicate it to you?

Mr. STEVENS. I think not.

Senator GRAY. Or did you have any conversation with any of them?

Mr. STEVENS. I think I did not. I may have asked what they were doing, and they may have said they would have a Provisional Government. I should say that is probable. I could not learn what was going on; I would have to catechise somebody, and they would answer me.

The CHAIRMAN. But you knew at the time you went on board the ship that the state of public feeling there would culminate in an effort to overthrow the Queen's Government and establish a government in place of it?

Mr. STEVENS. I understood that the Queen's government was at an end. The Queen's government ended on Saturday afternoon. There

was no government of the Queen's for more than forty-eight hours; from 4 o'clock Saturday afternoon, the 14th of January, the Queen's government was absolutely dead, as much so as was that of Louis Phillipe's government was after he left the city of Paris in 1848.

The CHAIRMAN. From the time you spoke of going on board ship and conferring with Capt. Wiltse about troops going on shore, was there any government in Honolulu which could have issued any authentic order which the people would have respected?

Mr. STEVENS. There was none. As I stated before, the only government was the thousand white citizens who were acting as a unit; they were absolutely masters of the situation, and their unity and self-possession and the presence of the Boston kept the city as it was.

The CHAIRMAN. The period of time from Saturday afternoon to Monday afternoon you regard as an interregnum?

Mr. STEVENS. Absolutely an interregnum—theoretically and practically.

The CHAIRMAN. During that time did you receive any information to the effect that the Queen's forces were under arms and under orders in any way to protect the public order, or to protect life and property, or were engaged in any military operation?

Mr. STEVENS. No authentic information.

The CHAIRMAN. Did you receive any information that that was the state of the case?

Mr. STEVENS. I remember that Mr. Peterson and his associates called on me Sunday evening and made certain inquiries about the situation, and from them I got some impression. But it was only his story; I got no reliable information. It was the general situation that taught me my duty.

The CHAIRMAN. What was Mr. Peterson's story about the military preparation on the part of the Queen to protect the public security?

Mr. STEVENS. Mr. Peterson was then between the opposing forces; he was expecting the natives and white citizens would support him, and he came to see what the United States officials would do. I did not promise him anything.

The CHAIRMAN. What was his story?

Mr. STEVENS. His story was just what I have stated—that he was expecting——

Senator FRYE. The chairman asked you if you had any information that the Queen's troops or Queen's forces were in any condition to make any attack upon the Provisional Government or to preserve order and life or property?

Mr. STEVENS. None at all.

The CHAIRMAN. Did you see any array of the Queen's troops anywhere in Honolulu between the time of your landing from the *Boston* on Saturday and your going back on the *Boston* on Monday?

Mr. STEVENS. Not any.

The CHAIRMAN. No parade through the streets?

Mr. STEVENS. No parade through the streets that I saw.

The CHAIRMAN. Did you see any parade through the streets, of any organization, or any police force in charge of Mr. Wilson?

Mr. STEVENS. None whatever.

The CHAIRMAN. So that, as a part of the interregnum during these days, between Saturday noon and Monday afternoon, there was no display of military force on the part of the Queen's government?

Mr. STEVENS. None whatever that I was made cognizant of.

The CHAIRMAN. Or on the part of the Queen?

Mr. STEVENS. None whatever.

The CHAIRMAN. Within your knowledge or information, did she during that time exercise any governmental act except the promulgation of the proclamation on Monday giving up the enterprise of overthrowing the constitution?

Mr. STEVENS. That was all. She made a communication to me on Sunday—it may have come from the Queen or ministers—that I should meet at the Government house the English ministers and others. On Sunday, knowing the situation, I declined to go to the meeting, because, first, I did not want to leave the legation, and secondly, when this communication came I could not make a tripartite with Mr. Wodehouse and the Japanese minister, and I declined to go to this meeting. That meeting was evidently for the purpose of making an appeal for our assistance to save her.

The CHAIRMAN. The proclamation was the only effort on the part of the Queen to assert her government from the time you got off from the *Boston* on Saturday afternoon to Monday afternoon, when you went back on the *Boston*?

Mr. STEVENS. That is all. I got a note from the Queen on Tuesday. That was twenty-two hours after the troops were landed. That is the only one.

The CHAIRMAN. I have not come to that; I am speaking of the period you are pleased to call the interregnum.

Mr. STEVENS. That is all.

The CHAIRMAN. During that interregnum what military array, if any, was there on the part of citizens of Hawaii?

Mr. STEVENS. You mean the citizens?

The CHAIRMAN. Yes.

Mr. STEVENS. My information was—of course I had to obtain from A, B, and C——

The CHAIRMAN. Did you see any military array?

Mr. STEVENS. No.

The CHAIRMAN. What was your information?

Mr. STEVENS. My information was that the citizens were preparing for a public meeting, and they were going to be governed by the exigencies of the case. All the information that I could get was that they were notifying all parts of the city and island to be at the mass-meeting and have their arms at the right time. I could not get reliable information of that; but it was such that I had no doubt about it.

The CHAIRMAN. Did you see any military organization or assemblage of the citizens during this period of interregnum, or have any knowledge of the fact?

Mr. STEVENS. No; only at this meeting at the armory it came to me, not officially, but I learned it from others.

The CHAIRMAN. At the armory?

Mr. STEVENS. Yes.

The CHAIRMAN. Did that meeting occur before you went on board the ship?

Mr. STEVENS. Yes.

The CHAIRMAN. And you knew of it?

Mr. STEVENS. Knew of the results of it. I think they had not gotten entirely through when I went on board the ship. I could not swear to that; I did not go to the meeting.

The CHAIRMAN. Was there any meeting of the retainers or supporters of the Queen at the same time or about the same time?

Mr. STEVENS. I think they had one on the palace grounds the same afternoon.

The CHAIRMAN. You do not know?

Mr. STEVENS. I think so; I cannot swear to it. I know they had one there the same afternoon, or preceding afternoon, and my impression is, the same afternoon.

The CHAIRMAN. Did you know that before you went on board the ship?

Mr. STEVENS. I think so, because there were handbills posted in the street, handbills on both sides nearly all through the city, as well as I remember.

Senator FRYE. Mr Chairman, if you can hold in your mind just where you want to start, I would like to ask a few questions at this point.

The CHAIRMAN. Yes.

Senator FRYE. Mr. Stevens stated that he requested certain of the troops to be sent to the consulate, and certain of them to be sent to the legation; but he did not give any account of the disposition of the balance of the troops. Now, Mr. Stevens, answer my questions, and answer them only. You say you thought when the troops came ashore they would bring their tents with them?

Mr. STEVENS. When I made my request?

Senator FRYE. Yes.

Mr. STEVENS. I stated that.

Senator FRYE. When the troops came to the shore, you found they had no tents?

Mr. STEVENS. And they had to have a hall.

Senator FRYE. Up to that time did you ever know that there was such a hall in Honolulu as Arion Hall?

Mr. STEVENS. Never, until the time the Opera House was refused.

Senator FRYE. Did you call upon them for a place to have the troops?

Mr. STEVENS. The officers said they would have to have a place to stay during the night.

Senator FRYE. Did you send a man for a place?

Mr. STEVENS. Yes.

Senator FRYE. What did you send him after?

Mr. STEVENS. The Opera House.

Senator FRYE. Is the Opera House a place that was before occupied by United States troops?

Mr. STEVENS. I could not say as to that.

Senator FRYE. Do you know it by report?

Mr. STEVENS. I think it had been occupied before by a military force.

Senator FRYE. Why did you send for the Opera House.

Mr. STEVENS. Because I knew of that hall, and I knew of its capacity.

Senator FRYE. And the only one that you knew of in the city as suitable for the purpose you wished to use it for?

Mr. STEVENS. Yes.

Senator FRYE. Your man returned?

Mr. STEVENS. He had to go 3 miles to find the man in charge, and returned with a negative—that the owner of the hall was not on the island and he would not like to have the hall used for that purpose. I found out that he was an Englishman and against the Americans.

Senator FRYE. Then you heard of Arion Hall?

Mr. STEVENS. I sent the same messenger, the same man.

Senator FRYE. How far did you send him?

Mr. STEVENS. About a mile, to a man known to be a royalist—Kalakaua's minister. Mr. Walker had been a minister, and had been all through these troubles. He said he would be very glad to let us have the hall. He gave me the name of the manager. I sent a third man to the one who had the management of the hall, and he granted the right to use it. It was then well on to 10 o'clock. Consequently the men had to stay in the street that night to that hour.

Senator FRYE. At Mr. Atherton's house?

Mr. STEVENS. Yes; he had extensive grounds——

Senator FRYE. In selecting Arion Hall for the use of those troops, did you have any reference whatever to their location as regards the Provisional Government or the Queen's Government?

Mr. STEVENS. Not the slightest; it never entered into my head.

Senator FRYE. Had anyone made any suggestion to you on behalf of the Queen or the Provisional Government that Arion Hall should be selected on account of its location near the Government building?

Mr. STEVENS. Never.

Senator FRYE. When you selected Arion Hall for the troops did you have any reference whatever to its being near the palace and the Government building?

Mr. STEVENS. Not the slightest.

Senator FRYE. Did you have any reference whatever in your selection to the location of the troops being effective to prevent the Queen's troops attacking the Provisional Government's troops?

Mr. STEVENS. Not the slightest.

Senator FRYE. As a matter of fact, is Arion Hall, so far as American property is concerned—and I mean by that, of course, residences as well as anything else—a reasonably central location?

Mr. STEVENS. A reasonably central location.

Senator FRYE. Do you know of any place large enough, other than that, for quartering those troops in the city of Honolulu?

Mr. STEVENS. Not obtainable. I had thought of another on my own street. If Arion Hall had not been gotten we would have tried another hall, which was nearer me, but the owner was not there.

Senator FRYE. The only purpose you had was to place the troops where they could be protected during the night?

Mr. STEVENS. Yes; and where they would be useful in case of fire.

Senator GRAY. You said that this was arranged on the Boston in a conference with Captain Wiltse. What was to be the route the troops were to take?

Mr. STEVENS. No; I do not remember any arrangement as to the route; the arrangement was as to where they were to land.

Senator GRAY. And where they were to go?

Mr. STEVENS. No; we had not found this hall.

Senator GRAY. How was it they came to go to Mr. Atherton's?

M. STEVENS. Simply because he had extensive grounds, and he was an American.

Senator GRAY. That was a matter of arrangement before you left the ship?

Mr. STEVENS. I could not say that; I presume so. It was arranged where they would land, because they were going up the principal streets.

Senator GRAY. You knew they were going to Mr. Atherton's?

Mr. STEVENS. I can not say positively.

The CHAIRMAN. Did you know that before you left the ship?

Mr. STEVENS. I can not say positively, for I do not remember it.

The CHAIRMAN. Proceeding from this period when you say there was an interregnum to the time when you ordered the American flag to be hoisted in Hawaii, I will ask you what was the condition of the people as to order and quietude and the conduct of their ordinary vocations?

Mr. STEVENS. You mean between the time of the recognition of the Provisional Government and the raising of the flag?

The CHAIRMAN. Yes.

Mr. STEVENS. I will say that the people were generally at their avocations, except that the citizens had constituted themselves soldiers—the men from stores, the banks, and the workshops, responsible men—were constituted the military force for the time being.

The CHAIRMAN. To what extent had this volunteer military organization increased?

Mr. STEVENS. Volunteer and otherwise I could not tell precisely; but I should say all the way from 400 to 600 men.

The CHAIRMAN. Armed men?

Mr. STEVENS. Men they could place arms with. They were white men accustomed to the use of muskets. But the men actually on military duty probably would not be half that number.

The CHAIRMAN. Were the men organized for the purpose of repressing mobs and incendiarism, or organized and armed for the purpose of supporting the Provisional Government?

Mr. STEVENS. The public order.

The CHAIRMAN. I want to ask you whether they were organized for the purpose of preserving public order, or for the purpose of supporting the Provisional Government?

Mr. STEVENS. They regarded the Provisional Government as the instrument through which they would preserve order.

The CHAIRMAN. They were considered troops of the Provisional Government?

Mr. STEVENS. They were supporters of the Provisional Government.

The CHAIRMAN. Were they under the control of the Provisional Government?

Mr. STEVENS. Yes. Those volunteers would never be called upon except in an emergency. They had a military force which was disciplined, and they had this force from the workshops.

The CHAIRMAN. What was the number of the disciplined force?

Mr. STEVENS. I could not speak with accuracy at this moment.

The CHAIRMAN. What is your opinion?

Mr. STEVENS. I should say 150 men—possibly 200.

The CHAIRMAN. Were they organized in military companies?

Mr. STEVENS. Military companies.

The CHAIRMAN. Under the command of Col. Soper?

Mr. STEVENS. Under Col. Soper, I think.

The CHAIRMAN. Were there captains of companies?

Mr. STEVENS. I do not know Capt. Ziegler; but I think he was the captain of the German company at the Government house.

The CHAIRMAN. Were there other captains?

Mr. STEVENS. Yes. I think there was another captain, Fisher, from one of the banks, who was the captain at the barracks; the third company, Capt. Goud.

The CHAIRMAN. In that period which you call the interregnum, was there any outbreak?

Mr. STEVENS. There was no outbreak; they feared an outbreak.

The CHAIRMAN. Was there any demonstration to show that an outbreak was contemplated?

Mr. STEVENS. I think their fears came from private information. I think there was no external signs of it. Of course the authorities put themselves as much in touch with the facts as they possibly could, and they sometimes may have been alarmed unduly, as men would be in such circumstances.

The CHAIRMAN. Did you believe that there was a general public apprehension in that time, covering the period that I have just referred to, of any armed demonstration against the Provisional Government, or any incendiarism, or any mob violence?

Mr. STEVENS. Yes; very strong; so strong they got information that they barricaded the Government building and got ready for anything. It is very likely half the time that the alarms were bogus?

The CHAIRMAN. During this period of time where was the Queen?

Mr. STEVENS. The Queen was in her Washington house. That was the house left to her by her husband, and by the husband's mother left to him. It is the Washington house; well-known place, close to the tpalace.

The CHAIRMAN. Did the Queen have any guards about her?

Mr. STEVENS. As nearly as I remember the Provisional Government allowed her a guard.

The CHAIRMAN. Of how many? What was your information on that subject?

Mr. STEVENS. I think 12.

The CHAIRMAN. Armed men?

Mr. STEVENS. I presume so; I never went to see.

The CHAIRMAN. Were the troops taken from the organization under the authority of the Provisional Government?

Mr. STEVENS. As nearly as I remember at first they allowed her 12 of her own guards. But, of course, the Government kept an eye on them, and subsequently they were changed to men of the Provisional Government.

The CHAIRMAN. Were they changed at the Queen's request?

Mr. STEVENS. That I could not say. I probably knew at the time; but I would not be sure. I think they were changed. They regarded her native guard as of no consequence whatever. The reason I had for raising the flag, I will give you in as condensed form as I have it, when you reach that.

The CHAIRMAN. I have not reached that. I am trying to find out what the situation was at the time. Was there any interruption of the relations between the Provisional Government and the American Government or between the Provisional Government and any foreign government during this period of time after the proclamation of the Provisional Government and up to the time of the raising the flag?

Mr. STEVENS. I should say no interruptions; but I would have to give the facts, that you might understand my answer fully. That will enter right into the reasons for raising the flag. I will give those reasons very specifically.

The CHAIRMAN. There were no interruptions of the relations?

Mr. STEVENS. Do you mean the diplomatic relations?

The CHAIRMAN. Yes.

Mr. STEVENS. Not so far as I know.

The CHAIRMAN. What Governments had recognized the Provisional Government before the time of the raising of this flag?

Mr. STEVENS. Every one represented there.

The CHAIRMAN. Which were—

Mr. STEVENS. The English Government, the German Government,

the Austro-Hungary the Portuguese, the Japanese. The Chinese are only represented by a commercial agent. I think he recognized the Provisional Government in some form.

The CHAIRMAN. You do not know?

Mr. STEVENS. I think he did.

The CHAIRMAN. Did you have any official information as minister of the United States from these respective Governments that their representatives there had recognized this Provisional Government?

Mr. STEVENS. It was published in the papers the next morning. I heard of it the night before.

The CHAIRMAN. I am not speaking of that; I am asking whether you had any official information from the officers of these respective Governments?

Mr. STEVENS. They did not call upon me to notify me; but they authorized the publication of their recognition in the paper of the next morning.

The CHAIRMAN. Is there an official paper?

Mr. STEVENS. There is a paper the royal Government had used, "The Bulletin," which is the English organ, and the Provisional Government used "The Daily Advertiser," and they published that in the Advertiser. And I think the Bulletin got it too.

The CHAIRMAN. Was it understood by you that the publications in this gazette were official?

Mr. STEVENS. I understood that they were duly signed by the officials, and I learned that evening they were recognized by all in thirty minutes except by the English minister; he did not do it until the next morning. But he got ahead of me in calling on the Provisional Government. I was too ill, and did not call for several days; and he called within forty minutes after they were constituted.

The CHAIRMAN. Did these foreign governments officially communicate their recognition to the Provisional Government?

Mr. STEVENS. Yes; and it was published in the papers the next morning. That was the way I got at it.

The CHAIRMAN. You say that the English minister——

Mr. STEVENS. Mr. Wodehouse.

The CHAIRMAN. Was he the minister?

Mr. STEVENS. Yes.

The CHAIRMAN. You say he withheld his written recognition until the next morning?

Mr. STEVENS. Until the *Claudine* sailed for Washington.

The CHAIRMAN. What time did you make official recognition of this Government.

Mr. STEVENS. I could not say positively, because the legation was thronged all the afternoon, and I was sick on the couch; but probably not far from 5 o'clock. My wife and daughter think it was a little later.

The CHAIRMAN. What day?

Mr. STEVENS. The day they were constituted—perhaps three hours after they were sworn in and took possession of the buildings and were conducting the Government.

The CHAIRMAN. You were at the legation?

Mr. STEVENS. At the legation.

The CHAIRMAN. And lying sick on a couch?

Mr. STEVENS. Yes.

The CHAIRMAN. How did you get information that this Provisional Government had been established?

Mr. STEVENS. There were messengers coming from both sides.

The CHAIRMAN. I am speaking of official information from the Provisional Government.

Mr. STEVENS. I can not say now, because I received it in so many ways. I can say that the ministers of the Queen had access to me all that afternoon, and others, and it was borne to me in various ways.

The CHAIRMAN. What did you regard as the official information of the Government on which you, as the American minister, were authorized to act in recognition of that Provisional Government?

Mr. STEVENS. I could not say; but there is probably a note on file in the legation in Honolulu; I presume there is—stating that they were constituted. But I learned it in very many ways outside of that. There was a complete want of government, an interregnum, from Saturday afternoon, and my purpose was to recognize the first real government that was constituted; and if Mr. Wilson had gone forward and shown any force and organized a government I should have recognized that.

The CHAIRMAN. You received a note informing you of the organization of the Provisional Government?

Mr. STEVENS. Probably I did; I can not swear to that.

The CHAIRMAN. You wrote a note?

Mr. STEVENS. Oh, yes; I wrote a note.

The CHAIRMAN. When did you write that note?

Mr. STEVENS. In the afternoon.

The CHAIRMAN. What time in the afternoon?

Mr. STEVENS. I could not say. I got up off the couch——

The CHAIRMAN. About what time?

Mr. STEVENS. I could not swear to that. I prepared a note before; had it in readiness, because it was open as any railroad meeting would be in your city or mine; and I probably got the note ready without signature beforehand.

Senator GRAY. A note to whom?

The CHAIRMAN. To the Provisional Government.

Mr. STEVENS. I looked up the matter of form in the legation, and got it ready.

The CHAIRMAN. To whom did you send that note?

Mr. STEVENS. My impression is I sent it by Mr. Pringle. I might have sent it by Mr. Carter. I had not been asleep for four nights; I could not sleep on the Boston, all this excitement going on, and about 1 o'clock I was violently attacked. I took my couch. A medical man would have said, "Don't speak to a man this afternoon;" but under the excitement they keep coming; I had no clerk, and my daughter—consequently, in this state of my health I could not stop to look at the clock when every man who came—the Queen's messenger this minute and another messenger another minute. I went over it, and I think, as I recall the incident, it was about 5 o'clock. Mrs. Stevens and my daughter afterward said they thought it was half past 5, because they knew when the messenger went.

The CHAIRMAN. During that afternoon, while you were still on the couch sick, as you say, some members of the recent cabinet of Liliuokalani came in to see you?

Mr. STEVENS. Yes.

The CHAIRMAN. I wish to know who they were?

Mr. STEVENS. They were Mr. Peterson, Mr. Parker—the whole four. But I was too ill, so that I received them one at a time, and only two at all.

The CHAIRMAN. You received only one at a time?

Mr. STEVENS. I received two—Mr. Parker first. Mr. Parker was more of a gentleman, and he wanted to know if Mr. Peterson could come in. Mr. Peterson was the leader.

The CHAIRMAN. During your interviews with these two ex-ministers of Liliuokalani did they give you any intimation as to the proclamation of the Provisional Government?

Mr. STEVENS. Their only errand was this——

The CHAIRMAN. What did they say to you? Did they give you any intimation that the Provisional Government had been proclaimed?

Mr. STEVENS. Not so far as I remember.

The CHAIRMAN. What did they communicate to you?

Mr. STEVENS. I will make that clear. Before I had this violent attack, say about 1 o'clock, I received this note from the Queen asking me to come to the palace, and I received it about fifteen minutes before the time appointed. There were two reasons for not responding. I declined the Sunday before to go into a tripartite, especially with Mr. Wodehouse. After I received that note, probably forty-five minutes or an hour, these ministers arrived, and their message was this: whether I could not properly ask the aid of Capt. Wiltse's forces to sustain the Queen. Mr. Peterson went into a legal argument, while his associate, Mr. Parker, was silent. Mr. Parker said to Peterson: "You must make this very brief;" and the only answer I made was: "Gentlemen, these men were landed for one purpose only, a pacific purpose; I can not use this force for sustaining the Queen." Now, they say that they put the other alternative—"assist the Provisional Government." There was no alternative spoken of or hinted. I said: "These men were landed for a pacific purpose, and I can not use them to sustain the Queen."

The CHAIRMAN. A pacific purpose?

Mr. STEVENS. Yes; what I have just stated is the substance of what occurred.

The CHAIRMAN. Was that the substance of what occurred?

Mr. STEVENS. Yes. And that was argued by Mr. Peterson on a legal point. I ought to state the reason for that. In 1874 Kalakaua was elected, and the natives were opposed to it, as history will show. The American forces from the ship were landed to suppress the mob, and the suppression of that mob was practically the putting of Kalakaua on the throne. But that was not the specific intention; but, inasmuch as he had been elected and his opponents had control of the city and had driven the Legislature out, it resulted that way.

Now, in putting down the riot in 1874, which put Kalakaua on the throne, from that time on the Kalakaua family got the idea that the United States would do the same; that the minister was obliged to do it. I received formerly several times messengers from the Queen; whenever they called I would, as a matter of duty, use that force to sustain them, and in this belief Mr. Peterson made the argument that they were the legally constituted Government, and that I could properly do as he suggested—he knew that I did not claim to be a lawyer, and he thought he knew more about law than I did—that I could properly use the force. I made as brief an answer as possible—"that these men were on shore for a pacific purpose, and we can not take any part in any contest; can not use the force to sustain the Queen or anybody else."

The CHAIRMAN. Now, at that that time it seems, from what occurred and the argument that was addressed to you by these gentlemen, that

the question arose as between the Provisional Government and the Queen's Government?

Mr. STEVENS. His whole argument was on the point whether I could properly use the force. At the suggestion of Mr. Parker, because of my condition of health, he made it brief.

The CHAIRMAN. But you were simply contemplating the question at that time whether you could sustain the Queen's Government or the Provisional Government?

Mr. STEVENS. No; the other alternative was not put by him at all.

The CHAIRMAN. At the time that conversation occurred were you aware of the fact that the Provisional Government had been proclaimed?

Mr. STEVENS. Probably I was. That was in the course of two or three hours recognized. I can not recognize the precise hour at which they took possession of the Government building and issued their proclamation.

The CHAIRMAN. Did you at that time know that it related to a controversy between the Queen's Government and the Provisional Government?

Mr. STEVENS. I knew from the conversation that they called upon me from the Queen—to save her.

The CHAIRMAN. To save her against dethronement?

Mr. STEVENS. Against anybody—that their only hope for possession of that Government by the Queen was by my assistance.

The CHAIRMAN. Was there any suggestion made by these ministers when they came to the legation that the Queen's person or the person of any member of her cabinet was in any danger?

Mr. STEVENS. Not the slightest.

The CHAIRMAN. So that, what you had to say in regard to it had no reference to the preservation of the life or security of the Queen or her ministers?

Mr. STEVENS. Nothing whatever.

The CHAIRMAN. But it had reference to whether the Government of the United States would recognize——

Mr. STEVENS. Put her in possession of the Government which she had lost.

The CHAIRMAN. How long was it after that interview with the Queen's ministers before you sent this note of recognition by Mr. Pringle to the Provisional Government?

Mr. STEVENS. I could not tell.

The CHAIRMAN. About how long?

Mr. STEVENS. I would suppose it might have been two hours; might have been three.

The CHAIRMAN. That is your recollection—two or three hours?

Mr. STEVENS. Yes; two or three hours. Probably it might have been—most likely was, two hours and a half; but that I would not swear to—whether it was two, two forty-five or three, because I had no record or watch at the time.

The CHAIRMAN. On that day, which was Tuesday, had you visited the Government building?

Mr. STEVENS. I did not leave the legation from Monday evening until several days after—remained constantly in the legation.

The CHAIRMAN. Had you any conferences with members of the Provisional Government during that interval and while you remained at the legation?

Mr. STEVENS. No.

The CHAIRMAN. Had no conferences with any of them?

Mr. STEVENS. No. As an individual, some member of the Provisional Government may have called. But the Provisional Government leaders were intelligent, and they would not embarrass me with questions I could not answer—they were better posted men than their opponents. They kept their plans from me for reasons of their own.

The CHAIRMAN. I suppose you are not speaking of the official communications between you and the members of the Provisional Government—that they did not make any official communication?

Mr. STEVENS. I presume they sent a communication asking recognition, and I presume that note is at the legation in Honolulu.

The CHAIRMAN. Beside that?

Mr. STEVENS. Beside that I did not see one of them—they did not call; they probably sent their messenger, because they kept coming to the legation, representative men on both sides, constantly, and it would be impossible to make a record of every one. The whole town had been in excitement for days.

The CHAIRMAN. Was it your purpose in anything you did, from the time you left the *Boston* on Saturday up to the time of your making an official recognition in writing, to use the forces or the flag or the authority of the United States Government for the purpose of dethroning the Queen?

Mr. STEVENS. Not the slightest—absolute noninterference was my purpose.

The CHAIRMAN. Was it your policy in any of these things that you had done to aid any plan or purpose of the annexation of the Hawaiian Islands to the United States?

Mr. STEVENS. Not at all. That was not the plan.

The CHAIRMAN. Since your residence in Hawaii as a minister have you personally—I do not speak of your ministerial character—favored the annexation of Hawaii to the United States? Have you been in favor of that movement?

Mr. STEVENS. After I had been in Honolulu one year I came to the conclusion that the annexation of those islands was inevitable, or something else; that the then condition of things could not last very long, and therefore my official communications to our Government disclose just what my views were. But in my calculations for annexation I never supposed, nor was it expected by the friends of annexation, that it would be by revolution, but through negotiation, legislative action, and the assent of the Queen on the lines of the treaty of '54. That was the only plan thought of.

In that time I kept my own counsel, and nobody except the United States Government knew what my real view was. In that time I may have chatted with individuals and given an opinion when talking of the situation of the islands—with Judge Hartwell or Rev. Dr. Hyde, and I may have agreed with them that that would be the inevitable, sooner or later, because that had been the form of expression, as the records will show, for forty years. But that was merely an academic opinion privately expressed.

The CHAIRMAN. As a matter of interest to the people of Hawaii, and also the people of the United States and the Government of the United States, were your personal wishes or inclinations in favor of or against annexation?

Mr. STEVENS. In the first twelve months I supposed something like a protectorate would be preferable.

The CHAIRMAN. After that what?

Mr. STEVENS. I came to the conclusion that while a protectorate

would be possible, annexation was the only logical and practical solution.

The CHAIRMAN. Did you favor it?

Mr. STEVENS. Only as I reported to the Department.

The CHAIRMAN. I do not mean whether you advocated it, but whether, in your own mind, you favored it.

Mr. STEVENS. In my own mind I came to the conclusion that annexation was better than protectorate, or something like what they have in Sweden and Norway. I know that there were some men when I first went there who have had the idea that it would be better to have the foreign relations managed at Washington and have an independent kingdom like Norway.

The CHAIRMAN. During this period of time in Hawaii, did you believe that it would be advantageous to the Government of the United States, in a commercial sense, to acquire the ownership of the islands?

Mr. STEVENS. Most emphatically. I came to that conclusion after a study of the future of the Pacific.

The CHAIRMAN. You believed that the future of the islands lay in that direction?

Mr. STEVENS. Exactly. I followed Mr. Seward for 25 years; I am a believer in his philosophy as to the future of America in the Pacific, and, of course, my investigations after I went to the islands confirmed me.

The CHAIRMAN. Having such an opinion and such a belief and such a trend of judgment about this important serious matter, have you in any way, at any time, or on any occasion employed your power as a minister of this Government for the purpose of promoting or accelerating that movement?

Mr. STEVENS. Not the slightest, except in writing to Washington, and that was marked confidential. There I expressed my views of the situation. When I suggested a customs' union, I pointed out in that that the customs union had more difficulties than annexation, and that the protectorate system was a system which I could not see would work with the American system.

The CHAIRMAN. Was it your observation of the condition of feeling and sentiment amongst the Hawaiians, the native Kanaka population, that they felt friendly toward and grateful to what was termed the missionary element for their education and civilization in building up their institutions and towns and other things that have occurred, or were they possessed of a feeling of hostility toward the missionary element? By the missionary element I mean not all who are classed now as missionaries, but those men and their descendants who went to the islands for true missionary purposes?

Mr. STEVENS. I would say in answer to that, that nearly all, if not all, the responsible natives of the islands (I mean the men of education and standing) are nearly all Americans, and the representative men would be the four members of the Legislature who resisted the threats and bribes in the struggle about the lottery bill, led by Mr. Kauhana, who had been a member of the Legislature for fifteen years. He is a man of character, and his three associates said, "The United States is our mother; let her take our children."

The CHAIRMAN. I want to know whether it was a custom amongst the Hawaiians with the white people there to celebrate our anniversaries, such as the Fourth of July?

Mr. STEVENS. The 4th of July on all the four principal islands is celebrated with more uniformity and earnestness than in any part of the

United States. I am familiar with the celebration of the 4th of July in my country fifty years ago, when they celebrated as they now do in Hawaii.

The CHAIRMAN. Is it regarded as a fête day?

Mr. STEVENS. As a fête day.

The CHAIRMAN. How about the proclamations of Thanksgiving that go from the President out there?

Mr. STEVENS. That is used in the churches, and much regarded, but not the same degree as the 4th of July; but it is still a very important day.

The CHAIRMAN. Is that regaded by the Kanaka population? Do they participate in the sentiment upon the request of our President?

Mr. STEVENS. I think so.

The CHAIRMAN. Are you aware of the existence of a similar state of feeling on the part of the Hawaiian people, the Kanakas, toward any other foreign government?

Mr. STEVENS. No.

The CHAIRMAN. Do you understand and do you believe and do you state, upon your understanding and belief, that there is an affectionate regard or sentiment on the part of the Kanaka population toward the people and Government of the United States?

Mr. STEVENS. Yes; I will say the responsible portion of them.

The CHAIRMAN. How about the irresponsible, the ignorant people?

Mr. STEVENS. The irresponsible, what we call the hoodlum—I use that term for convenience—are gathered in Honolulu, as they would be in any country, at the capital. That element is comparatively small in numbers, but it makes a good deal of noise, and is under the control of the white adventurers. And there is another element, which is quite numerous, and if they only get their point and things go on, they are satisfied.

The CHAIRMAN. I am speaking of the principal body of the Hawaiian people, who reside in the country.

Mr. STEVENS. I would divide those in three classes: the first led by Mr. Kanhana and others like him. That makes the responsible and the religious element, led by the Americans. Then there would be the portion living in the country districts who do not care one way or the other.

The CHAIRMAN. Indifferent?

Mr. STEVENS. Indifferent. If the demagogues were to go to them and say, "The Americans are going to take away your lands," they would get up a feeling, and they would all act at once. And then the hoodlum element—a few hundred dollars would buy them and use them, as the worst element in our cities.

The CHAIRMAN. Subject to be controlled, because they are purchaseable?

Mr. STEVENS. Purchaseable. They would not do any very great harm, but they are corrupt.

The CHAIRMAN. Considering the condition that Honolulu is in, and considering all the facts that you have been commenting upon, what was your reason for requesting or directing the raising of the flag and the establishment of a protectorate in Honolulu?

Mr. STEVENS. I have it here in writing; but I think I can condense it better.

Senator FRYE. One moment before that question is answered, if the chairman please.

The CHAIRMAN. Yes.

Senator FRYE. You have been over the recognition of the Provisional Government and closed that chapter. In the recognition of the Provisional Government did you ask anything about the barracks and the station house?

Mr. STEVENS. I did not go into the particulars.

Senator FRYE. What importance on the question of the recognition of the Provisional Government did the barracks and the police station have?

Mr. STEVENS. None whatever. As I have stated before, there was an absolute interregnum, and there was no effective force for the Queen at any time.

Senator FRYE. In determining upon the question of recognition, did you take into consideration at all the surrender of the barracks or the police station?

Mr. STEVENS. No.

Senator FRYE. Capt. Wiltse is reported to have said that he would not recognize the Provisional Government until the barracks and police station had surrendered. Had Capt. Wiltse any authority in the premises, if he said so?

Mr. STEVENS. I would say that he never had any such conversation with me, and I have no idea he said anything of the kind.

Senator FRYE. Is not the question of recognition a question entirely and solely for the American minister?

Mr. STEVENS. I would say so. So far as the American Government is concerned, absolutely and entirely.

The CHAIRMAN. Was that request of the Provisional Government made in writing?

Mr. STEVENS. I think so.

The CHAIRMAN. Is it there?

Mr. STEVENS. I think it is on file at the legation. In answer to the question of the chairman put a few moments ago I will proceed to state:

These volunteer troops had been taken from their business for two weeks. The Japanese Government had a powerful ironclad that was soon expected. They had one ship there, but they had sent it off to Hilo, and of that visit to Hilo we got information, which I sent to the Department, that the Japanese were testing the sentiment of the men upon the plantations as to whether they would aid the Japanese. Now, right here, it is important that I should be specific. The Japanese Commissioner had but recently arrived. He came to me prior to my going to Hilo and prior to the fall of the Queen and said that he wanted the same rights of suffrage for the Japanese that other nationalities had. He wanted to get my encouragement, to find out what I was about. That was before I went to Hilo. Of course I had to be very diplomatic and did not make him any pledges or any signs.

At about the same time he had made this demand on the Queen's Government, which was before the overthrow, and which was followed up immediately on the Provisional Government—to give them the right of suffrage. On the island of Oahu, as the reports came to me, they had 700 or 800 Japanese who had been in the Japanese army. Information came to the Provisional Government and came to me that the adherents of the Queen, in a revolutionary attempt to replace her just at this time before the flag was put up, might call upon the Japanese laborers and residents, and that the Queen would promise them, for the sake of their aid, that they should have the right of suffrage. There was a good opportunity for the Japanese and the Queen's supporters. The commissioner had sent a request to Tokio by the Claudine, which

I found out afterwards, following the Japanese training ship which had arrived from San Francisco, and in the meantime the training ship had gone up to Hilo. We found out from what appeared to be a reliable source that some political action in concert with natives was in view. There was no proof of that except as this messenger conveyed it to us in writing and the manner he had gained the information. That might not be so, but there were outward signs of it.

The Provisional Government felt, as I felt, if the Queen's adherents should make that promise, and they could get the aid of the 700 or 800 Japanese soldiers, a revolutionary attempt would be dangerous. In the meantime the English minister, who had always insisted upon a tripartite action in anything that took place in Honolulu, expected the arrival of a British ship. The Provisional Government got the information that the attempt would be made for two purposes: First, that those representing the Queen and Mr. Neumann would want the information to go to Washington that there was a chaotic condition of things in Hawaii, and that the Provisional Government had no real, stable, authority—that an outbreak, although it might and would be crushed out, would have a very bad effect.

Fear on the part of the mob of adventurers who had surrounded the Queen—fear of the use of the Japanese force that might be used, the fear of the pressure of the Japanese commissioner, with two ships at his command (one of them larger than the *Boston*, with the attitude of the British minister, with the ship he expected, all combined to make me yield to the request to put up the flag. And the understanding on their part was expressed in their note and was expressed in my answer when we put it up—"That this must only go to the extent of supporting the Government against these outside contingencies," both from the English vessel and Japanese, but much more from the Japanese, because he was thoroughly in earnest to get that right of suffrage for his thousands of Japanese. Now, we may have been unduly alarmed, but the Provisional Government was alarmed, and that was the state of the case.

It was specifically understood that there should be no interference with the internal affairs of Hawaii, and there was no period in which I was more absolutely unconnected with internal affairs than in that period when the flag was up.

The CHAIRMAN. Did you receive any official or other information prior to the time of the raising of this flag that any government represented in Hawaii was opposed to the project of annexation, which information had been submitted to the United States?

Mr. STEVENS. Opposition from any Government? I had this information, that Mr. Wodehouse, when he found that the Provisional Government was in favor of annexation, thought they ought to submit it to popular vote, and they thought that was a very cool proposition for any English minister to make. He made that proposition very soon after he found out that they favored annexation, and I think sent a note to that effect to the Provisional Government.

The CHAIRMAN. You had that information?

Mr. STEVENS. I had that positively from Mr. Dole himself, and other information. I had repeated interviews with the Japanese commissioner. He stated his point, and wanted me to assent to the idea that the Japanese should have the right to vote. I had in a formal, diplomatic way, given him to understand that that was beyond my province and responsibility.

The CHAIRMAN. At the time of the raising of the flag, as well as

before, the Japanese commissioner insisted upon the suffrage proposition?

Mr. STEVENS. Yes. And he furthermore said if we were to annex the islands he hoped the American Government would give the Japanese the same rights as Americans or Englishmen or Germans. And he was very earnest and very tenacious about it. And the sending of a great war vessel under the circumstances was the one that caused the most outside fear.

The CHAIRMAN. And those were the reasons?

Mr. STEVENS. The fear of anarchy and the fear of the Japanese, and the fear that Mr. Wodehouse and the Japanese commissioner would insist upon the same right with dealing with the affairs that I had, which I knew my Government was opposed to.

The CHAIRMAN. Those were the reasons which influenced you to accept the proposition from the Provisional Government for a protectorate?

Mr. STEVENS. It was a modified and strictly limited protectorate.

The CHAIRMAN. It is a protectorate?

Mr. STEVENS. To the extent specified, yes.

The CHAIRMAN. After that flag was raised and that protectorate was declared, did you, as the American minister, or in any other capacity, take any control or direction of any of the affairs of the Provisional Government, or any control or direction of the people there in any way?

Mr. STEVENS. Not in the remotest degree. For two reasons, if you will allow me to state the reasons.

The CHAIRMAN. Never mind the reasons. I can think of a dozen reasons why you would not want to do it. Did you intend it, or did the Hawaiian Provisional Government intend it, so far as you know, as an attempt on the part of the United States to establish the right of sovereignty over the islands of Hawaii—I mean this protectorate?

Mr. STEVENS. No; I understood then, as I understand now, that that was to sustain the sovereignty of the Provisional Government—that their sovereignty was threatened under the circumstances.

The CHAIRMAN. To prevent other governments from coming in there to interfere?

Mr. STEVENS. That is it exactly.

The CHAIRMAN. It was pending the protectorate that Mr. Blount arrived?

Mr. STEVENS. Yes.

The CHAIRMAN. Had you, before Mr. Blount arrived, received information from Mr. Secretary Foster that your act in establishing that protectorate had been disavowed?

Mr. STEVENS. No; I understood his note as I understand it now. It is in exact accordance with the little document I have just read. In the liability of its being misunderstood, he thought it best to enlarge upon it and define how far our limited protectorate could go. I so understood it at the time. Secretary Foster went on to decide what we could do and what we could not; and what we could do was what we did.

The CHAIRMAN. When he disavowed what seemed to be a protectorate?

Mr. STEVENS. Yes; he defined how far our protectorate could go.

The CHAIRMAN. Then he disavowed what seemed to be a protectorate. We will take his own language as conveying his actual meaning. Did you understand that that disavowal reached the point or

proposition that you were forbidden, as American minister, to preserve or protect the public peace?

Mr. STEVENS. Not at all; but just the opposite, because the language of the dispatch is explicit on that point.

The CHAIRMAN. And it was for that reason you considered his disavowal comported with the purpose of raising the flag?

Mr. STEVENS. Precisely. Everything I had done was in accordance with his dispatch. President Dole was familiar with international law, as well as Mr. Foster and myself, and never thought of asking more than Secretary Foster's dispatch allows.

The CHAIRMAN. How long did you remain there after Mr. Blount arrived?

Mr. STEVENS. I think he arrived the 28th of March, and I left the 24th of May.

The CHAIRMAN. Did Mr. Blount carry over with him the dispatch of Mr. Foster regarding the protectorate?

Mr. STEVENS. No; Mr. Foster's dispatch came by telegram, and in due course of mail afterward.

The CHAIRMAN. So that Mr. Foster's dispatch, whatever it meant, had been received by you before Mr. Blount's arrival?

Mr. STEVENS. Yes; I think thirty days before.

The CHAIRMAN. Did you think, from Mr. Foster's dispatch, that you should haul down the flag and order the troops to go on board ship?

Mr. STEVENS. Not in the slightest.

The CHAIRMAN. Is there anything which you can state except what you have already stated, about the Japanese, and foreign interference—any turbulence or danger that would require you to keep that flag flying and keep the protectorate in authority?

Mr. STEVENS. My judgment was for its retention until there was an order to the contrary. The same reason that caused me to raise it, in my mind, continued. I do not know of any other than those I have stated.

The CHAIRMAN. You have stated all the reasons that then induced you to put up the flag and all the reasons that induced you to maintain it and maintain the protectorate after you received Mr. Foster's dispatch?

Mr. STEVENS. Yes; certainly. My documents explain why I would do that and not do otherwise when negotiations were pending.

The CHAIRMAN. In the course which you took in maintaining the protectorate and in maintaining the flag over Hawaiian soil, did you understand that you were violating in any sense any order of the United States Government given through the State Department?

Mr. STEVENS. No. I stated in my dispatch the serious responsibility I was under; that there was a contingency I knew no other way to meet than the method in which I met it.

The CHAIRMAN. How long before you received that dispatch was it that Admiral Skerrett came?

Mr. STEVENS. I can not recall.

The CHAIRMAN. But it was before you received that dispatch disavowing——

Mr. STEVENS. I shall object to the term disavowal; I do not admit it was a disavowal.

The CHAIRMAN. I use the word disavowal.

Mr. STEVENS. Admiral Skerrett might have arrived ten days or two weeks after. There might have been a day more or a day less, but

it would not vary from several weeks between the arrival of Admiral Skerrett and the dispatch of Mr. Foster.

The CHAIRMAN. The flag was flying when Admiral Skerrett arrived.

Mr. STEVENS. Yes.

The CHAIRMAN. Did Admiral Skerrett make any objection to it?

Mr. STEVENS. Not the slightest.

The CHAIRMAN. Did he ever suggest to you that it was an improper attitude for the Government of the United States to maintain toward Hawaii?

Mr. STEVENS. Not the slightest.

The CHAIRMAN. Or that he would refuse to maintain it with his troops on shore?

Mr. STEVENS. Not the slightest.

The CHAIRMAN. Did you have conferences with Admiral Skerrett?

Mr. STEVENS. Not on that specific point.

The CHAIRMAN. Were you in association with him?

Mr. STEVENS. Yes; constantly.

The CHAIRMAN. Did you converse about Hawaiian affairs.

Mr. STEVENS. I think after Admiral Skerrett had been there a certain length of time he said he would rather a portion of the troops would be on board ship. We conferred with the Provisional Government, and we reduced the number all around.

The CHAIRMAN. The number was reduced under Admiral Skerrett's suggestion and order, and with your assent?

Mr. STEVENS. Yes.

The CHAIRMAN. Where was Capt. Wiltse?

Mr. STEVENS. He had gone home. He remained thirty days after his time had expired.

The CHAIRMAN. He remained after the flag was raised?

Mr. STEVENS. Yes.

The CHAIRMAN. But Admiral Skerrett reduced the force on shore?

Mr. STEVENS. After conference with me and the Provisional Government. We thought it was safe to do it.

The CHAIRMAN. That was while the flag was up?

Mr. STEVENS. Yes.

The CHAIRMAN. Did Admiral Skerrett undertake to interfere with the existence of the protectorate?

Mr. STEVENS. Not in the slightest. This was a mutual friendly arrangement all around; what the state of the case required—the reduction of the force.

The CHAIRMAN. Did Admiral Skerrett ever state to you before the arrival of Mr. Blount that he thought it his duty as the admiral in command to withdraw his entire force from the shore and haul down that flag?

Mr. STEVENS. No; he never even spoke to me that it was bad policy to have it up—nothing of the kind. I think he had a captain who was there a while. I heard of his making that remark. But it was only a matter of chitchat. He did not agree with and could not get along with the missionary people, and he wanted to go with another class of people. I can not recall his name at this moment.

Senator GRAY. Was he on Admiral Skerrett's ship?

Mr. STEVENS. He was sent shortly up to Bering Sea.

Senator GRAY. You might mention his name.

Mr. STEVENS. I can not recall it.

The CHAIRMAN. He had formed and expressed an opinion, as you

understood, contrary to the attitude of the Government of the United States at that time?

Mr. STEVENS. Yes. And he thought that the whole thing was a mistake; but when he was conferred with by some of the citizens he denied it. So that I could not say what his real position was.

The CHAIRMAN. We do not want to go into that. When Mr. Blount arrived, did he communicate to you any of the special instructions that he had received?

Mr. STEVENS. Not his instructions; but he gave me a copy of the instructions from Washington, by which his authority was paramount over mine, and that I should keep on with the ordinary duties of the legation. But he never showed me his instructions nor gave me a hint as to what they were.

The CHAIRMAN. You had only a conjecture as to what they might be?

Mr. STEVENS. Only a conjecture.

The CHAIRMAN. Mr. Blount was cautious in withholding his instructions, was he? Did you ask to be informed of his mission there?

Mr. STEVENS. Oh, no; I introduced him to the Provisional Government, and was courteous as I could be to him.

The CHAIRMAN. Did you demur, dissent, to his coming there as minister of the United States with authority paramount to your authority there?

Mr. STEVENS. No. I kept that locked up in my breast.

The CHAIRMAN. So that, whatever his mission was, it was not a matter to arouse your antagonism?

Mr. STEVENS. Not the slightest. On the other hand, I treated him with the utmost kindness. I knew that he came with a great deal of prejudice, and I was careful——

The CHAIRMAN. How do you know that he came with prejudice?

Mr. STEVENS. By his conduct. It was very brusque with me in the start. It was brusque in his refusal to accept the offer of the American citizens that he should take a house rather than go the royalist hotel.

The CHAIRMAN. That offer was made by whom?

Mr. STEVENS. That was a committee of American citizens. I can give you who they were and what they were.

The CHAIRMAN. Was it the committee of safety?

Mr. STEVENS. They were not members of it. The chairman of it was Judge Hartwell, who had nothing to do with the revolution whatever, and the next member was Mr. Scott, a Kentucky gentleman, who has had charge of the high school for many years—not connected with the Government or even with politics.

The CHAIRMAN. How came the citizens to provide a house for Mr. Blount any more than for you as minister?

Mr. STEVENS. For the reason that they knew that the Hawaiian Hotel was organized in the interest of the Queen's supporters and organized in a very corrupt way.

The CHAIRMAN. Was there no other hotel there except the one at which Mr. Blount stopped?

Mr. STEVENS. That was the principal hotel. There were other good hotels.

Senator GRAY. That was the principal hotel?

Mr. STEVENS. Yes. There were other hotels.

Senator GRAY. Mr. Blount says he went there because it was the leading hotel, and that he never saw its proprietor to speak to him for many weeks after he had been there, and he saw no men who were

royalists, except they came for the purposes of examination. Do you know anything to the contrary?

Mr. STEVENS. I know altogether to the contrary. The Hawaiian Hotel had been for many months as complete a lodge for all the Queen's supporters, to the extent that they watched every boarder who was brought there. The man who kept that hotel was of a firm that cheated the Government out of $80,000. One of the firm was sent to Washington as Kaiulani's counsel. The active manager of that hotel at the time is a graduate from the Oxford University, England. He was divorced from his wife in the United States. He wrote those vile letters in behalf of the Queen attacking me and Judge Dole.

Senator GRAY. Do you know that Mr. Blount had any association with those people?

Mr. STEVENS. That I can not swear to. I was giving the character of the hotel, the reasons why these citizens suggested that he go to a private house.

Senator GRAY. Do you know that Mr. Blount associated with the people whom you have described on terms of intimacy or otherwise?

Mr. STEVENS. I think it would be impossible for Mr. Blount to know, because they were strangers to him.

Senator GRAY. Do you know that he did?

Mr. STEVENS. I know that when I called at the cottage that they were generally there.

Senator GRAY. Where?

Mr. STEVENS. At the cottage where he stopped, close to the hotel. I found some of those parties were there.

Senator GRAY. Who were some of those parties?

Mr. STEVENS. Mr. Peterson was one. You asked me why these citizens made this offer. It was because while he was at the hotel he would be under espionage of the royalists.

Senator GRAY. Do you say that Mr. Blount when he arrived went to the Hawaiian Hotel, and he there associated intimately or otherwise with those objectionable characters?

Mr. STEVENS. I do not believe that he did.

Senator GRAY. I will ask you whether or not that hotel is where all American tourists and strangers would go?

Mr. STEVENS. More likely to go.

Senator GRAY. Did not the tourists all go to that hotel?

Mr. STEVENS. More or less. But so soon as they had been there any length of time, they generally left it. A good many Americans left it because of its anti-American character.

The CHAIRMAN. Now, as I understand your statement, this body of citizens undertook to provide quarters for Mr. Blount in order to prevent him from falling under what they conceived to be and you conceived to be evil influences?

Mr. STEVENS. I will state it my own way. These citizens were of the highest respectability. This lady offered it because it was more convenient to the legation, and where both parties would have access without espionage, as the American citizens knew that they could not go to the royalists hotel without espionage. And I had to caution Mr. Blount that his papers would be seen by the representatives of the royalists. I think he regarded that caution.

Senator GRAY. Did he make any objection to accepting the hospitality of any one, or simply that he preferred to go to the public hotel where he could pay his own expenses?

Mr. STEVENS. I think he said Mr. Mills had arranged to go to the hotel. At that time he did not mean anything out of the way.

Senator GRAY. I ask you if he did not mean what I have said, or indicate something of that meaning?

Mr. STEVENS. I think he indicated to me that Mr. Mills had arranged for going to the hotel. I can not say that is the form of the statement, but that is the implication.

Senator GRAY. That he refused the hospitality?

Mr. STEVENS. That would not be a fair statement. They did not propose free hospitality. They simply said he might pay the same as would be charged at the hotel. I only took the message from them. They asked me to give the message. I do not know—it was arranged that they would be willing to furnish him accommodations at the same rate as at the hotel.

Senator GRAY. Was anything said about "from nothing up"?

Mr. STEVENS. Some other parties might have used that expression, but I was asked to make no such offer.

Senator GRAY. Did anybody go out with you?

Mr. STEVENS. Yes; this committee went out.

Senator GRAY. Who were the committee—a committee of what?

Mr. STEVENS. Committee of citizens. Judge Hartwell, Dr. McGrew, and Mr. Scott. Judge Hartwell has been one of the supreme judges, a leading lawyer.

Senator GRAY. Was Judge Hartwell one of the Provisional Government?

Mr. STEVENS. No; he had no connection with it. And Mr. Scott is the teacher of the high school, a man of very high standing, and has been there for years. He was for six years at the royal college in Japan.

Senator GRAY. Was there any committee from the Annexation Club who went out, or communicated with Mr. Blount in regard to it?

Mr. STEVENS. I think the three gentlemen already named were members of the Annexation Club. I am not sure that Judge Hartwell was. They took these gentlemen because they were disconnected with the Provisional Government and were American citizens. The Provisional Government had nothing to do with it and did not know of it.

Senator GRAY. After Mr. Blount's arrival there, and after he was established at his headquarters, did he ask any information of you about the situation of affairs in Hawaii?

Mr. STEVENS. Not the slightest.

The CHAIRMAN. Did you offer to communicate to him any information which you had in regard to the situation of affairs there?

Mr. STEVENS. It was not possible for me to do so without being discourteous.

The CHAIRMAN. Did you ask him to have any conference about the condition of affairs in Hawaii?

Mr. STEVENS. No.

The CHAIRMAN. Did he ask you whether it would be politic or safe or unsafe to haul down the flag and order the troops on board ship?

Mr. STEVENS. Not the least—not a word; never a hint of what he was going to do.

The CHAIRMAN. Did he ask you what your relations were to Hawaii and other foreign governments?

Mr. STEVENS. Not the least. He did not ask me to do what is usual for a retiring minister to do—to go and introduce him to the foreign representatives. I do not think he meant any harm in that. I do not think he was posted as to diplomatic usage. But that is what custom requires.

The CHAIRMAN. Did you in any way interfere in any investigation that he made while he was there?

Mr. STEVENS. Not the slightest.

The CHAIRMAN. Did you enter any protest or objection to his removing troops from the shore?

Mr. STEVENS. Not the slightest.

The CHAIRMAN. Or hauling down the flag?

Mr. STEVENS. Not the least.

The CHAIRMAN. Did that act of removal, etc., produce any commotion in the community?

Mr. STEVENS. An intense silent feeling.

The CHAIRMAN. I speak of outbreak or commotion?

Mr. STEVENS. Just the opposite of that—intense silence. But in the homes of the families you would see the exhibition.

The CHAIRMAN. What is your information in regard to the power of Liliuokalani, as Queen of Hawaii, to organize and conduct any enterprise, political or military, for the purpose of displacing the Government that exists there now?

Mr. STEVENS. I think she would have very little power. But I think there are parties who might in her name do it; but I do not think it probable.

The CHAIRMAN. Parties who might displace the existing Government?

Mr. STEVENS. No; I do not say that. But I think it possible that an expedition organized in California or Vancouver might attempt it, if they could obtain the money to do it.

The CHAIRMAN. But I am speaking of the power of the Queen.

Mr. STEVENS. Her own power—*nil.*

The CHAIRMAN. I understand you, then, that without assistance from foreign governments any enterprise of the character that I have just asked about would be a failure?

Mr. STEVENS. An utter failure. There is not the least danger of any attempt being made except by outside aid. That is my opinion.

The CHAIRMAN. Suppose that Liliuokalani had the undivided support of the native born, of the Kanaka population, with all the resources at their command, do you believe that she would be powerful enough with that support to overturn the existing civil government in those islands?

Mr. STEVENS. I think one-fourth of the force of the Provisional Government could resist all the native force on the islands.

The CHAIRMAN. Then your answer must be, she would not be powerful enough?

Mr. STEVENS. Not powerful enough. Two hundred American soldiers could resist them all.

The CHAIRMAN. Do you consider the Hawaiian population, native-born Kanaka population, as being a warlike population?

Mr. STEVENS. They are the reverse of that in every sense.

The CHAIRMAN. How would they compare with the American born?

Mr. STEVENS. I should say that a native Kanaka force of 2,000, two hundred United States soldiers would more than equal.

The CHAIRMAN. So that you do not think the Provisional Government is in any danger from the Hawaiian population?

Mr. STEVENS. Not the least. From the native population? It would be the whites from whom the organized opposition would come.

The CHAIRMAN. Did you ascertain before you left Hawaii, and after

the declaration of the Provisional Government, that there was any white organization being attempted against the Provisional Government?

Mr. STEVENS. My information was to the effect that the same men who put the lottery bill through, what they called the lottery and opium men, had been acting together for a good while.

The CHAIRMAN. Did you hear of any attempt at organization amongst these people, or any other white people, to overthrow or dislodge the Provisional Government, or impair it?

Mr. STEVENS. Those rumors of attempt to overthrow the Provisional Government? They were constantly getting information of attempts to do it.

The CHAIRMAN. Attempts to do what, to form an organization?

Mr. STEVENS. To catch them unawares—to surprise the Provisional Government.

The CHAIRMAN. Did you understand from any information that you had—of course anything like a reliable character—that there existed an organization?

Mr. STEVENS. I should say that my information is that there are two or three organizations, mainly political. They have one organization called the Native Hawaiians; they have another, with a native name.

The CHAIRMAN. Are they natives?

Mr. STEVENS. They are natives. They have political organizations among themselves.

The CHAIRMAN. State any other.

Mr. STEVENS. They had at one time what they called the "Liberty League"; but I think that is disbanded. Those cliques have run together; but the same men can extemporize an organization within a week; because they drift together as naturally as similar men in our cities.

The CHAIRMAN. I will try to get back to the question whether you know or had any information of the existence of an organization amongst the white people in Hawaii against the Provisional Government?

Mr. STEVENS. Yes.

The CHAIRMAN. What was it?

Mr. STEVENS. I have forgotten the name of it; I think it is "Liberty League." But they had so many names that I can not remember; but I think it was "Liberty League."

The CHAIRMAN. Who was the leader of that organization, if it had any?

Mr. STEVENS. It was understood that Mr. Colburn and Mr. Peterson were in it.

The CHAIRMAN. I am speaking of the time that this Provisional Government was established.

Mr. STEVENS. I have no doubt that those things have varied so that there would be one clique in the League and then another clique.

The CHAIRMAN. I am speaking of the time of the organization of the Provisional Government, not any anterior time.

Mr. STEVENS. Those since the Provisional Government was established would be the same as they had before.

The CHAIRMAN. Is there such an organization?

Mr. STEVENS. There are several organizations of years' standing.

The CHAIRMAN. Is there now in existence, or was there at any time while you were in Hawaii, any political organization of white men for the purpose of antagonizing and breaking down that Provisional Government. Can you answer that?

Mr. STEVENS. I can give my opinion.

The CHAIRMAN. I do not want your naked opinion. I want your information.

Mr. STEVENS. My information is that the men who controlled the Queen's Government mainly, and ever since she was in, have acted together so often that that is virtually an organization.

The CHAIRMAN. Do you understand that there is such an organization existing in Hawaii to-day?

Mr. STEVENS. I have no doubt that it exists to-day.

The CHAIRMAN. Do you know anything about it?

Mr. STEVENS. I have no doubt it does.

The CHAIRMAN. Have you any information about it?

Mr. STEVENS. No; I see in Mr. Blount's report—

The CHAIRMAN. I am not speaking of Mr. Blount's report.

Mr. STEVENS. I knew it was when I left.

The CHAIRMAN. I want to get at the proposition whether or not there is any hostile opposition to the Provisional Government existing amongst the white people of Hawaii at this time, or was when you left there.

Mr. STEVENS. I have no doubt there is. I have no doubt the men who acted before are acting now.

The CHAIRMAN. I want your information, if you have any information about it.

Mr. STEVENS. I have no information that an organization exists since I left there, because that was six or eight months ago.

The CHAIRMAN. When you were there did it exist?

Mr. STEVENS. It existed.

The CHAIRMAN. Who were the leaders of it?

Mr. STEVENS. The reason I referred to Mr. Blount's report is this: You will find the committee, of which Mr. Cummings was one—I have understood that he was; he was one of the leading members. That was one organization. Then another organization is the one that Nawahi was at the head of. When I was there he was one of the leaders of a political organization under Kalakaua, and it is possibly in existence to-day, for it has been in existence for years.

The CHAIRMAN. I am trying to ask you of organizations formed for the purpose of opposing the Provisional Government.

Mr. STEVENS. I can not say that there is any such organization; I can only reason from cause to effect—that those organizations would be hostile to the Provisional Government.

The CHAIRMAN. You are not aware of the existence of any such organization now?

Mr. STEVENS. No. In Mr. Blount's report I see he mentioned Mr. Bush and Mr. Nawahi. But I can not swear to it.

The CHAIRMAN. Now, what I want to get at is, whether among the white people resident in Hawaii, who are not American citizens or persons of American origin, there exists any opposition of an organized character, whether political or military, against the Provisional Government.

Mr. STEVENS. What exists to-day? I cannot testify to that.

The CHAIRMAN. Was there in your knowledge at the time you left there?

Mr. STEVENS. Only as it appeared in the papers.

The CHAIRMAN. Did it appear?

Mr. STEVENS. Yes. You will see it in Mr. Blount's report, and that

is what I referred to. Mr. Cummings is in it, and Mr. Nawahi. It ran, to some degree, all over the islands. But I can not say that it exists to-day.

The CHAIRMAN. I want to know now whether any of these foreign people who are not Americans had any organization or association, within your knowledge, to oppose the Provisional Government of Hawaii, with a view to diverting Hawaii from the control or influence of the United States, either in the conduct of its current affairs or in the ultimate purpose of annexation?

Mr. STEVENS. I will begin with the Portuguese first; I will take them *seriatim*.

The CHAIRMAN. No; answer the question.

Mr. STEVENS. No, I could not give any information to which I could testify. If you want to know the attitude of these different populations I will give it to you.

The CHAIRMAN. I have understood that some Germans are for us and some against us?

Mr. STEVENS. As you have asked the question, let me answer it in a way that will enlighten it.

Senator GRAY. The question is, whether you have any knowledge or information of any such association or combination?

Mr. STEVENS. I will begin with the Portuguese, which were far the more numerous Caucasian population there; the Germans and English were smaller in numbers. The Portuguese number from 9,000 to 10,000. They are nearly, if not quite, a unit for America and for annexation. Why is it so? The young men have been educated in American schools, which are as positive in their American character as you can find in any of our American cities. Nearly all these Portuguese came from the Azores and Madeira poor. They saw the energy and vim of the Americans, and are largely employed by Americans. Then there is some antagonism between the Portuguese and the natives. I have stated the principal causes, and the Portuguese are a unit with us. When you come to the Germans, a very large majority is with us, except such Germans as may (and they are not very many) gather around Claus Spreckels. I will mention two German houses, at the head of which are men who have been there a long time. Their children were born there, and they expect to die there. Both those houses, and they are heavy houses, are with America, just as the English merchant is in New York—they know that their business and their future interests are entirely with us. They all talk English, and they are like Americans.

Take the English. A majority of the English affiliate with us. Why? For the reason that they do all their business with California, Washington, and Oregon. They go to American schools, and many of them have married in American families. There is Mr. Davies. He is one of the heaviest merchants, but is opposed to us having Pearl Harbor, and is very hostile to American predominance in Hawaii. With the exception of what gathers around Mr. Davies and Mr. Wodehouse (which is a very marked minority of the English), the English are with us as much as the Portuguese. When you come to the Norwegians, whose number is small, you may say it is a unit for us. Reduce the opposition to the Provisional Government to the white population, and you have the men whom the lottery and opium rings have had in their power, and who will respond to the beat of the political drum. Any one familiar with the political organizations in the cities of the United States knows what that is.

They have what is called the hoodlum element in Honolulu. Pay them and you will have them. But what are called the missionary people are not persons to bribe voters, and if a man were to throw in $50,000 to carry a project against the missionary element, he could buy up the hoodlums, just as they bought the votes in the Legislature with lottery stock, and those who would not have lottery stock got cash down.

The CHAIRMAN. You have made that statement. Do you know anything of the payment of lottery stock or money to carry through the lottery scheme?

Mr. STEVENS. I will answer the best I can. The facts are as notorious as they would be in any American capital where anything of the kind had been going on for years. I will give you this fact, and I will give you the name. Mr. Emuleuth, who is a native of Ohio, but who has been out there fifteen years, an enterprising and respectable man so far as I know. He is a member if the Provisional Government. The day before the lottery cabinet was appointed, which must have been the day before the coming back of the *Boston*, Emuleuth went into a commercial house in Honolulu, and as he was going upstairs, he heard Peterson and Colburn talking. Peterson did not want to put Colburn in the cabinet. Colburn had been the man who raised the money; and Emuleuth heard this as he stopped on the stairs. Colburn wanted to go into the cabinet, and Peterson was trying to reason him out of going in. Peterson knew Colburn was a hard man to carry, and it ran in this way: "Peterson, I paid this money, and if you don't put me in the cabinet, I will join the other side and blow you to hell."

The CHAIRMAN. Emuleuth gave you this information?

Mr. STEVENS. Emuleuth.

The CHAIRMAN. When?

Mr. STEVENS. He gave that to me some days after the overthrow of the Government.

The CHAIRMAN. When?

Mr. STEVENS. A week or ten days after the overthrow; merely as a historical fact, he gave it to me.

The CHAIRMAN. Prior to the time of your leaving Honolulu on the *Boston*, to go down to Hilo, did you have any information or reason to suspect that such influences were to be employed in favor of either the lottery or opium bill?

Mr. STEVENS. No; just as I stated in my opening, after the Wilcox and Jones defeat of the lottery bill and the opium bill, I thought the fate of those bills were settled, and the cabinet would be carried over for eighteen months.

The CHAIRMAN. What information you gathered from Emuleuth or any other source in regard to corruption in the Legislature to procure these votes of want of confidence in the ministry and for the lottery and opium bills was communicated to you after you returned?

Mr. STEVENS. Yes, and as a matter of history. Colburn knew his power. Then Peterson said, "if we put you in, will you agree to the constitution which the Queen is going to promulgate?" Colburn was opposed to it, but he answered, "damn, it, Pete; whatever you sign I will sign." Emuleuth said, "those four men were going in that cabinet for sure." They laughed at him; but when the cabinet was constituted they went in.

The CHAIRMAN. You, as the American minister, were forming opinions upon the public situation there?

Mr. STEVENS. Public situation.

The CHAIRMAN. And you included, of course, the action of the Legislature upon these respective measures?

Mr. STEVENS. Yes; I got that not by going to the Legislature, but from the best sources I could.

The CHAIRMAN. You received that information from those sources which you considered most reliable?

Mr. STEVENS. Most reliable.

The CHAIRMAN. I want to know whether you formed the opinion as minister of the United States before you left Honolulu to go down to Hilo that, if such measures as the lottery or opium bill should pass, they would produce a commotion or revolution? Were you of that opinion before you left for Hilo?

Mr. STEVENS. I considered that settled, or I should not have gone off. The repeated attempts and their failure, the petitions from all the islands, the opposition of the chamber of commerce, and the Queen's assurance to the ladies who called on her, satisfied me that they were dead.

The CHAIRMAN. If, before you left Honolulu to go down to Hilo, you had been informed that the Queen intended to promulgate a new constitution, reversing the constitution of '87 and restoring the ancient powers of the monarchy, would you have expected that to create a revolution?

Mr. STEVENS. I could not expect otherwise. I knew it, but I had repeatedly said so in conversations with Mr. Wodehouse, the English minister, and others—that whenever an attempt should be made to undo the action of 1887, by the Queen going back on her oath and promises, there would be an end of the monarchy forever.

The CHAIRMAN. Had you been possessed of any information that Liliuokalani, after the prorogation of the Legislature, would promulgate this new constitution upon her own authority, would you have left Honolulu?

Mr. STEVENS. No; I would have stayed there. I considered it settled when those four men went in, because of their character and their means, and the information that the Queen's favorite had reason to think he should remain marshal.

The CHAIRMAN. You speak of the Wilcox-Jones cabinet?

Mr. STEVENS. Yes; I considered that those men would be the Government for the next eighteen months.

Senator FRYE. When you went on board the ship to go down to Hilo, did you not have conversations with the officers of the ship, in which you expressed yourself as satisfied that peace was restored to Hawaii, and that it would continue until your term of office would expire, and that you could go home in comfort?

Mr. STEVENS. I did.

Senator FRYE. Was not that your belief?

Mr. STEVENS. It was.

Senator FRYE. Mr. Wundenburg in his testimony says that the overthrow of the monarchy could not have been accomplished had it not been the general understanding that the American minister would make use of the troops. In your opinion, did the American troops have any effect on the overthrow of the monarchy?

Mr. STEVENS. Not the slightest.

Senator FRYE. And whether the troops were on shore or not, your opinion is that the monarchy would have been overthrown?

Mr. STEVENS. Certainly.

Senator FRYE. Mr. Wundenburg also states that shortly after the

committee of safety met, on the 16th of January, it decided that they were not ready for the landing of American troops; that a committee of three, with Mr. Thurston, went to the American legation and asked Mr. Stevens to delay landing the *Boston's* men, and that it was reported that Mr. Stevens said, "The troops will land at 5 o'clock, whether you are ready or not."

Mr. STEVENS. I am sure that no such committee came; but the fact is, the troops were landed aside from any wishes of the committee of safety.

Senator FRYE. William H. Cornwall testified——

Mr. STEVENS. He was one of the new cabinet.

Senator FRYE. He states that Ministers Parker and Peterson called upon Minister Stevens and gave him to understand that the Government was able to take care of the situation, and asked him to keep the troops on board.

Mr. STEVENS. Not true.

Senator FRYE. Did Ministers Parker and Peterson ever call upon you and inform you that the Queen's Government was able to take care of the situation, and ask you to keep the troops on board?

Mr. STEVENS. No. You had better ask about Gov. Cleghorn's protest. A great deal of importance was given to the island governor's protesting after the troops were landed. Cleghorn, I have no doubt, under the inspiration of the English minister—if you will ask me the reasons, I will answer, but not now—came to me and wanted to know why I landed them. I stated that the circumstances were such that I was compelled to take the responsibility. I was very polite to him. I said to him, "I do not blame you for coming, and if I were in your place I would make the protest"; and I was just as courteous as I could be. He went home, and I have no doubt he consulted the English minister and had done so before coming to me.

Senator DAVIS. Did you tell Mr. Cleghorn then for what purpose you had landed those troops?

Mr. STEVENS. Probably my remarks implied that it was the necessity of the case. As nearly as I can recollect I said this: "The situation is such that I felt it necessary to take the responsibility." I probably put it in that form. My reason for saying that Cleghorn came by the inspiration of the English minister is this: I knew for months dating back in our intercourse that whatever the English minister wanted Mr. Cleghorn to do he would do. He was a good-natured man, and entirely under Mr. Wodehouse's influence. The governorship was of no account; it was abolished in 1887, and they reestablished it in 1890 as a mere honorary office, because Cleghorn was married to the sister of the Queen.

Senator FRYE. Cornwall stated that Mr. Hopkins insisted upon knowing whether or not you intended to recognize the lawful Government or the revolutionary Government, and that you said that you should recognize the Provisional Government, because they were in possession of the Government building, and that you intended to support them?

Mr. STEVENS. I am very glad you asked that question. I had no conversation with Mr. Hopkins whatever. I did not even know him. Mr. Hopkins brought me a note, and I sent an answer.

Senator FRYE. Did you say that to anybody?

Mr. STEVENS. Never. I want to say that Mr. Hopkins brought the note—they said it was Hopkins; I never had any conversation with

Hopkins at any time. After he had left the legation my daughter said it was Mr. Hopkins.

Senator FRYE. John F. Colburn testified that Thurston had an interview with them (him and Peterson) January 15, at 6 o'clock a. m., Sunday, and desired him and Peterson to depose the Queen; that in the course of the conversation he said that he could inform us that Mr. Stevens had given the committee of safety the assurance that if we two signed a request to land the troops of the *Boston*, he would immediately comply and have them landed to assist in carrying out this work.

Mr. STEVENS. Who put that question?

Senator FRYE. John F. Colburn testifies that Thurston in an interview with him and Peterson said that Stevens had given the committee of safety the assurance that if we two (that is, Colburn and Peterson) would sign a request to land the troops of the *Boston* he would immediately comply and have them landed to assist in carrying out this work.

Mr. STEVENS. Nothing of the kind; as perfectly romantic as if born of another age. I am sure Mr. Thurston never said anything about it; he is a man of too much sense.

Senator FRYE. Mr. Colburn says further that immediately on the landing of the troops he and Parker had an interview with you.

Mr. STEVENS. Parker is the one who came with Mr. Cleghorn to protest.

Senator FRYE. And he says that he (Colburn) had an interview with you; that in the course of that interview you said that there were a number of women and old men in town besides children, who were alarmed at the rumors of a revolution, and you wanted to offer them protection; whereupon Colburn said, "You want to annex the country," and you replied, "No, those troops are ashore to preserve the Queen on the throne, you gentlemen in your office, and to offer protection to the community at large."

Mr. STEVENS. That is absolute, pure fiction.

Senator FRYE. Mr. Colburn says further: "We had under arms 600 men with rifles, 30,000 rounds of ammunition, 8 brass Austrian field cannon, and 2 Gatling guns."

Mr. STEVENS. Why did they not use them?

Senator FRYE. Did they have such a force?

Mr. STEVENS No; they would have used it on Sunday and Monday, if they had had any such force. You have to look at the facts. I have answered that before. There was a complete collapse of the Queen's Government from Saturday afternoon of January 14. There was only one attempt at an exhibition of authority, which was by a policeman attempting to prevent two men carrying arms and ammunition up to the Government building. They had two men only. That is the only resistance they dared to make. Wilson knew every step that was taken, knew that the Provisional Government was being organized, just as you gentlemen would know of a railroad meeting in your town.

The CHAIRMAN. If there had been any force of 600 men under arms and under the control of the Queen would you have known it?

Mr. STEVENS. There was nothing of the kind, or I should have known it. The royalists party had two or three factions, one made up with the Robert Wilcox element. So far as it was possible for me to know—I used all the judgment and experience I had—I was kept posted of the purposes and intentions of the various organizations that were opposed to the Queen and those in her favor; and just as I have stated before,

there were two distinctive parties amongst the natives about the Queen.

The CHAIRMAN. I wanted to know whether your sources of information and the diligence of your inquiries made in regard to the actual situation in the islands gave you an opportunity to know satisfactorily to yourself whether they had as many as 600 armed force, or whether they had any organization of a military character that was considered dangerous?

Mr. STEVENS. My information was directly the contrary; the only force that I understood they had was the native police force under the marshal and the Queen's guard of 70, men made up of native boys, not equal to 10 white soldiers. Ten American soldiers were equivalent to the whole of them. They never made any resistance, and did not dare.

Senator FRYE. The Queen's ministers delivered an address which is given by Mr. Blount in his report, in which they stated that Mr. Colburn and Mr. Peterson reported that a committee of safety had been formed at the house of Mr. L. A. Thurston and had made overtures to them to assist in dethroning the Queen, and they intended to go ahead, and that your assistance, together with that of the United States Government, had been guaranteed to them. Is there any truth in that?

Mr. STEVENS. None; I never knew of it until I saw it in that report. I never heard of it before. I never heard of it until I saw it in that report, as also that other inquiry about my promising Soper. You might ask me if that is in there.

Senator FRYE. Mr. Wundenburg further says that Mr. Soper was offered the position of commander-in-chief; that he hesitated to take it; that he and others went over to see you, and then came back, saying, "I understood them to say that Mr. Stevens had told them that if they would take possession of the Government building and read their proclamation, he would immediately recognize them and support them, or, failing to get the Government building, any building in Honolulu."

Mr. STEVENS. I never heard anything about it until I saw it in Blount's report. It is pure fiction, absolute fiction, as well as that other statement that Soper wanted to take military command. I did not know that Soper was to have the military command until I saw his appointment in the newspapers. Soper never came to me to ask me anything about it. The first I knew of Soper being appointed to the command was one or two days afteward.

Senator FRYE. Kaulukou in his affidavit says that Minister Stevens wrote a letter, which he gave to Charles L. Hopkins, in which he said he would back and help the Provisional Government and not her Majesty the Queen's Government.

Mr. STEVENS. That is all fiction.

Senator FRYE. Did anything like that ever occur?

Mr. STEVENS. No. I maintained one fixed policy.

Senator FRYE. And that was utter impartiality between the two?

Mr. STEVENS. Yes. To the representations made to me before to have the men landed, my answer was always the same, "The emergency must be a striking one, and then only for the protection of life and property."

Senator FRYE. Paul Neumann, in his testimony, says that on Tuesday, the 17th of January, Mr. Peterson and Mr. Parker, about 3 o'clock, informed him that Mr. Stevens had told them categorically that he would support with the United States forces a provisional government if such were proclaimed. Did you ever tell Peterson or Parker anything like that?

Mr. STEVENS. Nothing of the kind. The only interviews in which, as I have already stated, they asked my assistance to support the Queen; but they did not put the other alternative, because they would not insult me with that after I had refused the other. I said to them squarely that the troops were landed for a pacific purpose and could not take part in any contest.

Senator FRYE. He also says that at a meeting at which J. O. Carter, Macfarlane, Widemann, and Damon were present, the statement was repeated that Mr. Stevens unqualifiedly stated that he would by force of arms sustain the Provisional Government. Did you say anything of the kind?

Mr. STEVENS. No; just like the other.

Senator FRYE. He also states that the U. S. legation had been at various times the meeting place of persons who had conspired to overthrow the Hawaiian Government.

Mr. STEVENS. There never was any such meeting in the four years that I was there, at the legation. The people who had the entree of the legation and who dined there and had other attentions there were royalists quite as many as of their opponents. The dinner party spoken of was made up by my two parties; the Portuguese chargé d'affaires made one; the French commissioner another; Judge Hartwell another; Mr. Thurston another, and, I think, one of the officers of the *Boston*, besides Capt. Wiltse. My daughter's conversation was with Mr. Thurston, and I talked with the Portuguese chargé d'affaires. The meeting was of such a character that if we had wanted to talk politics we could not have done so.

Senator FRYE. Mr. Charles T. Gulick testifies that the presence of the American troops and certain rumors with regard to the attitude of the American minister, caused the Hawaiian cabinet to confer with that official before taking action, and that they learned from him in writing that he recognized the Provisional Government and would support it with the United States troops. Was there anything of that kind?

Mr. STEVENS. No. It was all done in the form that came from this note. The man Hopkins, whom I did not know, and my daughter happened to know, he returned, but did not have any conversation, did not speak to him, did not know him until that afternoon. My daughter happened to know him by sight. He never submitted me any question; he brought a note, and all he wanted was an answer. I think my daughter took the note out of his hand and put it in mine, if I remember correctly. I was sick at the time. Hopkins was one of those who had been engaged in the grossest maladministration.

Senator FRYE. Mr. John Lot Kaulukou in his testimony says: "Next morning I read a letter from Minister Stevens in the newspaper. He said, 'I recognize the Provisional Government of the Hawaiian Islands, because it takes the palace, the station house, and the barracks. That is my reason why I recognize the Provisional Government.'" Did you write any such letter?

Mr. STEVENS. No; the only one that I ever wrote on the subject is in that official pamphlet published by vote of the Senate last February. I never wrote any communication to any newspaper about it. Kaulukou is one of the most corrupt men in the country, formerly one of Kalakaua's ministers.

Senator FRYE. He says further: "If Mr. Stevens had never sent any word of that kind, if he had never interfered, you would see these

people cleaned out in fifteen or twenty minutes and the Queen remain on her throne till to-day." Did you interfere?

Mr. STEVENS. Not the slightest.

Senator FRYE. Do you think if the troops had been in the United States of America the Queen would have been on her throne to-day?

Mr. STEVENS. If our troops had remained at Hilo, 260 miles from Honolulu, and had known nothing of what was going on, it would have been the same. The Wilcox-Jones cabinet was composed of some of the best men in the islands. The men who were leading this revolution were irresistible; they had the complete command of the situation. Wilson knew that, and that is the reason why his associates did not arrest anybody.

Senator FRYE. Do you know Dr. G. Trousseau?

Mr. STEVENS. I do.

Senator FRYE. Is he regarded in the Hawaiian Islands as a truthful man?

Mr. STEVENS. He is so notoriously untruthful that any story going the round of the capital they would say "That is one of Trousseau's lies." He is an adventurer who came from Paris. He is a man of a good deal of genius; he practices medicine in some American families because of his genius; but there are physicans who have no affiliations with him, because he has not his diploma. He has already apologized to Judge Hartwell and others because of statements he made with respect to them that he thought would not come back to the islands.

Senator FRYE. Trousseau in his statement says that Dole, Charles Carter, and W. H. Castle, and one or two others, naming them, were in the habit of meeting at your house, the house of the American minister, and conspiring for overturning the Queen. Is there any truth in that?

Mr. STEVENS. Not a particle. One of the parties was Mr. Castle; he had not been at my house but once for a year. I got acquainted with him and his venerable father when I first came to Hawaii, and I wondered why he had not called upon me. William Castle had only stopped at our house once in the year. Mr. Dole and Mr. Thurston were men of too much sense to be willing to have a meeting at my house. Although I was intimate in Mr. Dole's family, I never got a hint from Mr. and Mrs. Dole that he was to go into the Provisional Government. He was a man of too much culture to embarrass me with the knowledge that he was to take part in the revolutionary movement. It is the fact that he left the bench to which he had been appointed, with his salary of $5,000 a year, purely as a sense of duty, to take the responsibilities of the position he now holds. He is delicate, not a strong man, and the pressure of responsibility and anxiety is liable to break him down.

The CHAIRMAN. Who comprised the supreme court at the time you left Hawaii?

Mr. STEVENS. At the time I left it was composed of Chief Justice Judd, who had been chief justice for nineteen years, and Judge Bickerton and Judge Frear. Judge Judd was educated in law at Harvard. Judge Bickerton is English.

The CHAIRMAN. After the revolution occurred there in the executive government, did that court continue to sit and discharge its functions?

Mr. STEVENS. I so understood it; yes—right along. The Provisional Government interfered as little as possible with the statutes; they promptly repealed the lottery act and opium act, and I think that is

about all they did. The courts went right on, stopping only a few days in the excitement.

The CHAIRMAN. Have you heard of any effort on the part of the Provisional Government or the Queen's Government, or the followers of the Queen or her cabinet, to deny the power and authority of the supreme court of Hawaii since the revolution?

Mr. STEVENS. No.

The CHAIRMAN. Or any change in it?

Mr. STEVENS. I have not. I know the constitution which it was intended to proclaim was intended to change the supreme court. I learned that when we had the conversation with Kalakaua before, and from other sources in the later case.

The CHAIRMAN. To hold for six years.

Mr. STEVENS. And a final appeal from their judgment to the Queen.

The CHAIRMAN. I understand you to say, as a matter of fact, that since the Provisional Government was instituted there has been no one who has made any question of the authority of the supreme court and its power to go on and administer justice?

Mr. STEVENS. I am not aware of anybody. There may be some lawyer.

The CHAIRMAN. The number of judges was reduced from five to three by an act of the Legislature?

Mr. STEVENS. Yes.

The CHAIRMAN. So that as their terms expired there would be no reappointment until below the number of three?

Mr. STEVENS. Yes; as one died they were able to reduce to three quite promptly.

The CHAIRMAN. Who took Judge Dole's place?

Mr. STEVENS. Judge Frear.

The CHAIRMAN. Who appointed him?

Mr. STEVENS. He was appointed since the Provisional Government was established. Mr. Dole resigned to take the place of President of the Provisional Government, and they filled his place by the appointment of Judge Frear.

Senator FRYE. In the testimony of Mr. Sam Parker, pages 439 and 440, or in an interview with him, he produced a statement signed by A. B. Peterson, in which Mr. Peterson says: "On Sunday evening, January 15, at half past 7 o'clock, Samuel Parker, Her Majesty's minister of foreign affairs, and myself as attorney-general, called upon J. L. Stevens, American minister, at his residence, to talk over the situation." Did they call?

Mr. STEVENS. They called Sunday evening. They did all the talking.

Senator FRYE. He says, "Mr. Stevens stated that he desired to protect the Government and advised Her Majesty's Government not to resign, but said, in answer to a direct question put to him by me, that in case the Government called upon him for assistance he did not see how he could assist them as long as C. R. Wilson remained marshal of the Kingdom, terming Mr. Wilson a scoundrel."

Mr. STEVENS. That is not true. I think there was some conversation that they made as to the embarrassment that Wilson was making as to the Queen's rule, because some of the Queen's supporters were as anxious to get rid of Mr. Wilson as were her opponents.

Senator GRAY. Did you say that Wilson was a scoundrel?

Mr. STEVENS. I do not remember that I did.

Senator FRYE. Did you give them as the cause of your opposition to Wilson that he had caused the arrest of your Chinese coachman?

Mr. STEVENS. No. Let me tell the truth about that Chinese story. I had three Chinese servants. The man who drove my carriage was a Chinaman, as you have to have all the servants of one nationality. This coachman was a faithful fellow. His friends had lost money by lottery gambling, which Wilson allowed to go on, and he complained without my knowledge, and Wilson's police arrested him for having in his possession a knife which cost 15 cents. All I did was to telephone to the police station. I never had any conversation with Wilson, and he was never in my house. I telephoned to the police station to send back my servant and send back the money which they had taken from him when they arrested him, which was promptly done.

Senator FRYE. Peterson says he and Parker called on you again on Tuesday, January 17.

Mr. STEVENS. That was in the afternoon.

Senator FRYE. And that you promised that if a proclamation declaring a provisional government was issued, you, on behalf of your Government, would immediately recognize it and support it with the United States forces at your command.

Mr. STEVENS. That is pure fiction. That is the afternoon I was sick upon the couch.

Senator FRYE. He says that he asked you what action you would take if he called upon you for assistance, and that you said that in that case you could not come to the assistance of the Government; that he then asked what your action would be if they replaced the Government, and you replied that in that case you would interfere with the forces at your command.

Mr. STEVENS. That is all fiction. His argument was that I could legally and properly use the force to sustain the Queen. I replied that the troops were landed for a pacific purpose, and could not interfere. Nothing was said about the other side. They did not have the impudence to ask me that, because they were courteous in their manner.

Senator GRAY. Do you know Mr. Waterhouse?

Mr. STEVENS. Mr. Henry Waterhouse? There are several Waterhouses.

Senator GRAY. The one who is a member of the Provisional Government.

Mr. STEVENS. That is Henry Waterhouse.

Senator GRAY. He lived near you?

Mr. STEVENS. Near me.

Senator GRAY. Did you see him after you came ashore from the Boston on Monday?

Mr. STEVENS. I do not recollect that I did.

Senator GRAY. At any time that Saturday, Monday, or Tuesday?

Mr. STEVENS. I have no remembrance; but if you want me to be more specific as to Mr. Waterhouse I would say in this way, not officially. It is rarely that we ever talked about politics at all. He was a gentleman who would not embarrass me, and he knew how cautious I was. He never conversed with me at all about the formation of the Provisional Government, and the first news that I had that any meeting was held in his house, the first hint, I found in Mr. Blount's report. Henry Waterhouse was a man of character; he respected me, and would not insult me by any such proposition as aiding the overthrow of the Queen.

Senator GRAY. Did you ever during those four days, Saturday, Sunday, Monday, and Tuesday, see at your house or elsewhere any of these gentlemen who were in the committee of safety, or were afterward in the Provisional Government?

Mr. STEVENS. The committee called and presented their document, which I have made of record among the documents.

Senator GRAY. When did they call?

Mr. STEVENS. I think they called right after the close of their mass-meeting.

Senator GRAY. That was on Monday?

Mr. STEVENS. Monday.

Senator GRAY. Did you see any of them on Saturday or Monday?

Mr. STEVENS. I do not remember that I did. If I did, I saw them as individuals.

Senator GRAY. I mean as individuals?

Mr. STEVENS. I may have seen one or more of them; I can not say that I did. If I saw them, I saw them just as I did the other side. They had every access, both sides, to the legation; but the leaders of the Provisional Government were men of brains, and they did not embarrass me by coming there and letting me know their plans. And that is what I said of Mr. Dole, who is alleged to have conspired with me. He nor his wife never hinted to me his intention, and it was so of all the others.

Senator GRAY. Did Mr. Thurston call upon you during any of those four days?

Mr. STEVENS. Mr. Thurston, I think, called upon me once. Mr. Thurston was taken sick, if I remember aright, on Monday, after the mass meeting. I think he was sick and did not go out. I did not see him again until he left on the *Claudine* for Washington. I saw him for a few moments only before he went on board the *Claudine*.

Senator GRAY. Did you see Mr. Cooper during these days?

Mr. STEVENS. Not at the legation.

Senator GRAY. Or anywhere else?

Mr. STEVENS. Nor anywhere else.

Senator GRAY. Did you see Mr. Cooper on board the *Boston*?

Mr. STEVENS. No.

Senator GRAY. Did you see Mr. Castle on board the *Boston*?

Mr. STEVENS. I did not. Mr. William R. Castle was a member of the committee of safety, and he called when they presented their request.

Senator GRAY. Did you see Mr. W. O. Smith?

Mr. STEVENS. That is when they called and presented the request of the committee of safety. I think only the subcommittee of three called. Of course, there were so many who called during the three or four exciting days that I can not remember in each case who did call; I have to go on memory.

Senator GRAY. Did you state to Mr. Thurston when he called, that the troops would have to be landed from the *Boston*?

Mr. STEVENS. Not at all. My answer was the same—when the troops landed it would be for the purpose of protecting life and property.

Senator GRAY. You say you made no statement to Mr. Thurston about landing troops?

Mr. STEVENS. I do not remember any. I may have stated, as I did to other gentlemen—that the troops might be landed. I used great caution in my language; and you may be quite sure of this, that I was quite as courteous to the royalist emmissaries as I was to the others. There was reason: Mr. Thurston and Mr. Dole and others were men of too much sense to embarrass me with improper questions.

Senator GRAY. Did Mr. Thurston state to you on that occasion that they had a proposition for establishing a provisional government?

Mr. STEVENS. No; it would have been absurd for him to have so stated. It was generally talked that the opponents of the Queen would form a new government.

Senator GRAY. That they were going to establish a provisional government?

Mr. STEVENS. Yes. When the Queen failed on Saturday, at the churches and everywhere else they were talking over the situation, and what they would do. They called a mass meeting for Monday, and appointed a committee of safety and proposed to establish some form of government, and that was notorious, and they would not have to give me any special information.

Senator GRAY. Whom did you get your information from; you say it was notorious?

Mr. STEVENS. Such parties as would call there at the legation. Men and ladies called there from both sides.

Senator GRAY. Did you state to Mr. Thurston on the occasion when you state he may have called—I think you said he did call?

Mr. STEVENS. I think he called on Sunday. If he did he remained but a few minutes.

Senator GRAY. Did you say to him when the Government was established and actually in the possession of the archives and buildings that you would recognize it?

Mr. STEVENS. It was not necessary. He and those acting with him knew perfectly well that the *de facto* government would have to be recognized, and Judge Dole and Mr. Thurston understand international law and usage as well as any of us. Judge Dole was too intelligent to ask me what I would do in the contingency named.

Senator GRAY. When did the communication come to you at the legation, asking you to land the troops?

Mr. STEVENS. That came to me on Monday just after the mass meeting.

Senator GRAY. Who brought it?

Mr. STEVENS. It was this committee of safety; I presume it was only a part of them; I think there were three.

Senator GRAY. The committee of safety was composed of 13 members?

Mr. STEVENS. I think there was a subcommittee of three. Mr. Castle was one, Mr. Smith another; the third I can not recall.

Senator GRAY. That was before you went on board the *Boston?*

Mr. STEVENS. Yes. I could not state the precise hour—whether it was 3, or half-past 3, or 4.

Senator GRAY. And immediately after you went on board the *Boston* and requested the landing of the troops?

Mr. STEVENS. Very soon. And my note was drawn up before the committee called, and if it had not called I would have made the request.

Senator GRAY. And you saw Capt. Wiltse that day?

Mr. STEVENS. Capt. Wiltse called at the legation probably nearly every day after we got back from Hilo.

Senator GRAY. I understood you to say that you went on board the *Boston* some time about 4 o'clock, you could not be precise as to the time, but it was after you received this communication from the subcommittee of safety. Now, I understood you to say, that prior to your going on board the *Boston* that day you had a full conference with Capt. Wiltse?

Mr. STEVENS. No; I did not say that. I presume I had. I think he called there on Sunday.

Senator GRAY. On that Saturday or Sunday, when you had this conference with Capt. Wiltse, was it arranged that he should land the troops upon your making the request?

Mr. STEVENS. The understanding was, if I did make the request, the troops would be landed.

Senator GRAY. What was necessary?

Mr. STEVENS. If it became necessary to land, that I would have to make the request. That was the official way, and I had the legation records before me running back twenty-five years. They could not land until the request came from me.

Senator GRAY. When you went out to the ship, Capt. Wiltse was not surprised to have you make this request, because you had arranged with him before for such a contingency?

Mr. STEVENS. Not at all.

Senator GRAY. But you handed him the paper which you took out with you?

Mr. STEVENS. The official paper which had been used time after time by my predecessors.

Senator GRAY. And you have already stated that the arrangements were made then and there between you for the landing of the troops.

Mr. STEVENS. Only contingently—if he landed at all the request had to come from me. And Capt. Wiltse knew that as well as I did.

Senator GRAY. After you left the *Boston*, I understood the arrangement was made between you for landing the troops, and you understood they would carry their camp equipage with them, and it would not be necessary that you should provide quarters for them?

Mr. STEVENS. It never entered my mind; I took it for granted without consultation that the marines had their own tents.

Senator GRAY. And you were there informed that a hall would have to be provided?

Mr. STEVENS. Yes; and maps for the city.

Senator GRAY. And when you left the ship it was understood that the troops were to march out to Mr. Atherton's place?

Mr. STEVENS. They were to do exactly as was done in 1889; march through the streets and get a lodging as soon as they could.

Senator GRAY. Was it understood that they were to go to Mr. Atherton's when you left the ship?

Mr. STEVENS. I do not remember.

Senator GRAY. Was Mr. Atherton talked about on the ship?

Mr. STEVENS. I could not remember that; I think it was a mere casual idea—that Mr. Atherton had those extensive grounds, and was one of the leading American citizens, and they marched through the street to get grounds somewhere, and his grounds were large enough.

Senator GRAY. Do you undertake to say it was not understood they were to go to Mr. Atherton's when they left the ship?

Mr. STEVENS. I do not remember. Whatever it was, it was a mere incident, and with no special relation to anything in view. They had to go somewhere and secure a hall.

Senator GRAY. When you sent the note of recognition to the Provisional Government, to whom did you send it?

Mr. STEVENS. I have no doubt I sent it to the minister of foreign affairs. Mr. Dole, under their organization, was President and minister of foreign affairs. Of course, the official usage is to send such

notes to the minister of foreign affairs. I have no doubt I sent it to the minister of foreign affairs. I presume I conformed to the custom.

The CHAIRMAN. Had you previously heard of the proclamation of the Provisional Government?

Mr. STEVENS. Yes.

Senator GRAY. Had you a copy of that proclamation?

Mr. STEVENS. I can not say.

Senator GRAY. Had you read that proclamation?

Mr. STEVENS. I can not say that I had.

Senator GRAY. Could you say that you had not?

Mr. STEVENS. I could not say that I had not.

Senator GRAY. Was any proclamation sent to you?

Mr. STEVENS. Things had to be done very rapidly that afternoon. I had no clerk and I was a sick man, and it was impossible for me to make notes. I have no doubt I received the proclamation.

Senator GRAY. And you can not say one way or the other whether a copy of that proclamation was sent to you?

Mr. STEVENS. I can not; I presume so. Mr. Pringle brought me information and so did Mr. Carter, and so did others. I had it in various ways.

Senator GRAY. Were you aware when it was sent to you that the terms of the Provisional Government were not settled until there was annexation to the United States?

Mr. STEVENS. I did not understand that.

Senator GRAY. Were you aware that the proclamation was so made?

Mr. STEVENS. I never heard of it?

Senator GRAY. Never heard of the proclamation?

Mr. STEVENS. I did not know that that was the limit of the Provisional Government until this controversy of Mr. Thurston and Mr. Gresham.

Senator GRAY. When you were acting for the Government, you did not understand the terms in which the Government you were about to recognize had been proclaimed?

Mr. STEVENS. The only fact that I took under consideration was that it was a *de facto* Government, and if that *de facto* Government had proposed to annex to Mormondom I should have recognized it. I should have recognized it regardless of any ulterior purposes of that Government.

Senator GRAY. In this important condition of affairs in Hawaii, you did not consider it necessary to examine the terms on which that Government was established?

Mr. STEVENS. All I wanted to know was that it was a *de facto* Government, and that information I had.

Senator GRAY. Where did you get it, except from the proclamation?

Mr. STEVENS. From parties who came from the Government house and informed me, and I presume they sent a copy of the proclamation.

Senator GRAY. Who were they?

Mr. STEVENS. My impression is that Charles Carter was one and Mr. Pringle was another. Mr. Pringle was acting as my aid. Others gave me the information. Which one brought it first I could not swear. I think I first received the information from my daughter.

Senator GRAY. What time in the afternoon did this fact come to your knowledge that the Provisional Government had been proclaimed?

Mr. STEVENS. Probably—I can not say positively; I did not look at the watch—half past 2 or 3. It might have been earlier or a little later.

Senator GRAY. By whom did you send your note of recognition?

Mr. STEVENS. That I can not say positively.

Senator GRAY. Did you send it back by the messenger from the Provisional Government?

Mr. STEVENS. I sent it by some one whom I considered a reliable messenger.

Senator GRAY. And you can not say who it was?

Mr. STEVENS. No; I can not say that. It may have been Mr. Pringle, or it may have been one of the clerks in the foreign office.

Senator GRAY. How soon after you were notified of the fact that the Provisional Government had been proclaimed that you sent your note of recognition?

Mr. STEVENS. That I could not swear positively. I put it on record. I think it was about 5 o'clock. Mrs. Stevens and my daughter think that when this gentleman, meaning Hopkins, called with the note from the Queen's recent ministers it was later. But not regarding that a vital point I put it down in the records about 5. And the fact that the chief justice called on me shortly and said that they had the rumor all through the streets that the American minister had refused to recognize the Provisional Government. He came to see if it were so, and it was about dusk when Judge Judd called, when I said to him I had just recognized. But I put it down as my opinion that it was about 5.

Senator GRAY. You do not claim to be accurate about that?

Mr. STEVENS. No; the official records will show that.

Senator GRAY. Have you the official record?

Mr. STEVENS. I think that is in Honolulu. I do not know that Mr. Blount has put that on paper. My wife and daughter afterward said they thought it was later.

Senator GRAY. After the messenger who first came from the Provisional Government to notify you that the Provisional Government had been proclaimed, what other intelligence did you receive of its proclamation?

Mr. STEVENS. Now, I have to answer that in the way I have already answered, that I considered that there was an absolute interregnum between the afternoon of the 14th and the establishment of the Provisional Government, and my relief from the situation was that there was a de facto Government. The moment I got information that a de facto Government was established and was master of the situation, master of the archives, I thought it was my duty to recognize it, and all the other foreign officials immediately did the same. And the English minister called on the Provisional Government in person before I did.

Senator GRAY. Recognized it before you did?

Mr. STEVENS. The English minister in person went before I did and offered his congratulations.

Senator GRAY. Did you before that get your note?

Mr. STEVENS. I can not say. All those members of the official corps knew the circumstances under which the Provisional Government had been constituted as well as I did.

Senator GRAY. I understood you to say, in answer to that question as to whether you had any other information of the proclamation of the Provisional Government than the messenger conveyed to you, although not directly responsive, that it was not necessary, because it was thoroughly understood for the last two or three days there was an

interregnum, and that any government or any proclamation of any set of people would constitute a *de facto* government.

Mr. STEVENS. I did not say that. Let me answer it.

Senator GRAY. What did you say when I asked you in regard to the fact that it was notorious that there was an interregnum and it was not necessary to have the information?

Mr. STEVENS. I do not put it in that form. I say that the collapse of all government on the islands took place on the attempted *coup d'état* of the Queen on the 14th, and from that time up to the time the Provisional Government took possession of the Government buildings the only government was the 1,000 citizens who called the mass meeting, and the presence of ship *Boston* in the harbor. I had got information that I deemed reliable that a government springing out of that condition of things had become a *de facto* government, and by the invariable usage of the world I was bound to recognize it.

Senator GRAY. Then, I suppose, you give that answer as accounting for the fact that you did not need any other information than the first reliable information which you received that the Provisional Government had been proclaimed?

Mr. STEVENS. I had the most thorough information on that.

Senator GRAY. I ask you what that was?

Mr. STEVENS. I said before, probably by a note. But by various means I got that information perhaps twenty times within an hour.

Senator GRAY. From whom?

Mr. STEVENS. The parties who called.

Senator GRAY. Who were the parties?

Mr. STEVENS. I will give you one instance. Chief Justice Judd is one of the representative men of the islands. He came, I may say, at 5 or a little later, and he said the rumor had got on the street that I had not recognized the Provisional Government. I am sure during those hours there were many persons who called and talked of what had been done.

Senator GRAY. Who were the many persons?

Mr. STEVENS. I could not be positive.

Senator GRAY. Who was one?

Mr. STEVENS. I presume that Mr. Dole sent his clerk of the foreign office, and in addition to that Mr. Cooper, Carter, and Pringle, and I presume there were many other persons who told me.

Senator GRAY. Were they sympathizers with the Provisional Government who told you?

Mr. STEVENS. They were men who would give me absolute information.

Senator GRAY. I ask if that was a fact?

Mr. STEVENS. That was a fact.

Senator GRAY. You were not out of your house?

Mr. STEVENS. Not out of my house.

Senator GRAY. And on this information that the Provisional Government had been proclaimed you sent the note?

Mr. STEVENS. So soon as I had evidence of the fact.

Senator GRAY. What fact?

Mr. STEVENS. The fact that out of that interregnum had sprung a *de facto* government.

Senator GRAY. The fact of its being a *de facto* government is a conclusion?

Mr. STEVENS. Of which I had to be the judge.

Senator GRAY. Did you judge that that was the *de facto* Government upon the information that came to you that a Provisional Government had been proclaimed?

Mr. STEVENS. Only in part. I judged it from the condition of the town and all the circumstances. I knew that the Provisional Government had been talked of for sixty hours, and I had it from many persons. I was living on the principal street, and they would hear it on the street and tell my daughter about it, and would come by in a carriage and tell me.

Senator GRAY. Had you any knowledge of any other fact in regard to the transactions of that afternoon that bore upon the question at all, except the fact that the Provisional Government had been proclaimed?

Mr. STEVENS. I knew the fact an hour and a half before. You will see how importantly this fact bears on the situation, the efforts of the Provisional Government to transfer the arms from the store, and the abortive attempt of one of Mr. Wilson's policemen to interfere, and that was all the resistance for sixty hours—

Senator GRAY. Who told you that?

Mr. STEVENS. I learned it probably from twenty different sources. I heard the shot.

Senator GRAY. Tell me the names of some who told you?

Mr. STEVENS. I guess my own daughter told me first.

Senator GRAY. Who told you afterward?

Mr. STEVENS. That I could not tell, because events passing so rapidly like that, and a hundred men calling on me, it would be impossible to remember who the individual was. But there were many.

Senator GRAY. Why did you not wait until the next day before you sent the note of recognition?

Mr. STEVENS. For the reason that a half century of the study of government on both continents and 13 years of diplomatic experience would have told me it was right.

Senator GRAY. That was the result of your study?

Mr. STEVENS. My study and experience would have told me so.

Senator GRAY. And your study and experience told you that it was right to recognize that government within an hour or an hour and a half?

Mr. STEVENS. I do not accept it in that form.

Senator GRAY. I ask you as a matter of fact whether you did recognize it within an hour or an hour and a half?

Mr. STEVENS. I do not think that material; probably within an hour and a half or two hours.

Senator GRAY. Whether it is material or not, answer the question.

Mr. STEVENS. I do not know the precise time by the clock.

Senator GRAY. That is sufficient; you do not know the time; you can not say whether it was an hour or an hour and a half?

Mr. STEVENS. It was probably inside of two hours.

Senator GRAY. Were you well acquainted with Mr. Thurston?

Mr. STEVENS. Pretty well acquainted with him, because he was a minister of the Government when I went to Honolulu.

Senator GRAY. Are you well acquainted with W. O. Smith?

Mr. STEVENS. Passably well. He lived near me, within half a mile. I never had much acquaintance with him; met him occasionally, and, as Americans, we went to the same church. In the course of a year he and his wife called at our house two or three times.

Senator GRAY. Did any of these gentlemen, Mr. Thurston, Mr.

Smith—any of them connected with the committee on public safety—call upon you on Sunday?

Mr. STEVENS. I have already stated that Mr. Thurston called a few minutes at my house Sunday. I would not know when a gentleman called on me whether he was on the committee of safety or not, because I would not know until I saw the list. On Sunday they had not been appointed.

Senator GRAY. I say, not whom you knew were on the committee of safety, but whether any of these gentlemen whom you knew afterward were on the committee of safety.

Mr. STEVENS. I have said that I think that Mr. Thurston called; stopped in five minutes, as he passed down, and I think Judge Hartwell called also. Others called of both parties during Sunday.

Senator GRAY. Did Mr. Damon call?

Mr. STEVENS. I do not recollect Mr. Damon calling.

Senator GRAY. What sort of a person is Mr. Damon?

Mr. STEVENS. He is a man of the highest respectability.

Senator GRAY. What is his business?

Mr. STEVENS. He is a banker. Mr. Damon is the son of an American missionary, who went there forty years ago, and whom our Government recognized officially. He became a clerk to banker Bishop, and a great friend of the natives. He is an excellent financial manager, and largely increased the value of the property of two prominent natives. When the natives get into any financial trouble, Damon is the man they go to to get them out. He is a man of the highest character.

Senator GRAY. Did Mr. Damon and Mr. Thurston call on Monday?

Mr. STEVENS. I have no reliable recollection in that regard. My acquaintance with Mr. Thurston grew out of the fact that he was minister of the interior for the first thirteen months of my residence in Honolulu. I knew him officially and privately, for he lived in the part of the city in which the legation is situated.

AFFIDAVIT OF JAMES F. MORGAN.

HONOLULU, *Oahu, ss:*

My name is JAMES F. MORGAN; I am 32 years old; was born in the city of New York of American parents; came here when I was about 2 years old; was educated and have lived here since; have been in business as auctioneer and commission merchant for about six years; I took the business of E. P. Adams, with whom I had been clerk for about ten years.

I have been a member of the advisory council of the Provisional Government from its formation, January 17, 1893. I have been closely interested in Hawaiian political affairs for many years, and have carefully watched the progress of events. I believe the Hawaiian monarchy came to an end at the time when it could no longer exist; it had survived its usefulness, and with the revolutionary acts of the Queen on January 14 matters culminated, and it was impossible to longer endure such a Government.

I was not a member of the committee of public safety, nor was I present at the meetings at W. O. Smith's office on the afternoon of the 14th; but I knew what was going on. After I was requested by the committee of public safety to become a member of the advisory council, and learning that it was the intention to seek annexation to the

United States, believing that it was the only way to secure permanent and enduring peace and good government, I met with the members of the two councils at the office of W. O. Smith, on Tuesday. Sometime between half past 2 and 3, we went to the Government building, not armed. When we arrived we found only a few people present; our forces were not there when we arrived. Mr. Cooper read the proclamation; while it was being read, armed men commenced to come in, and in a few minutes there was at least a hundred, all armed and prepared.

Mr. C. McCarthy was there and said he was waiting for 100 armed men, who were to come and defend that building; he said if they had been on hand we would have been opposed and all shot down. We afterwards secured several thousand cartridges which had been stored in the building, in a preparation for the defense against us. Shortly after reading the proclamation we went into session for the purpose of immediately assuming the functions of Government. While we were in session Parker and Cormwell came up, and pretty soon the other two ministers. Before I went away Capt. Wiltse came in with his aids. They looked about and he said that Stevens had sent them to see whether we were actually in possession of the Government building, the Treasury, archives, etc. He was shown about the building.

Before I left I heard him say that we could not be recognized till we captured the barracks and station house. Up to that time and thereafter, I never have known anything about the United States troops supporting or assisting us. If there had been any such plan or expectation I am sure I should have heard it. I knew that the troops had landed, and supposed it was for the protection of women and children; I regarded that as necessary on account of the intense excitement which existed and had existed for several days. A very little thing would have caused an explosion. Shortly after the ministers came up from the station house I went off for a lot of arms and ammunition, which I had collected for the use of the Provisional Government.

When I got back to the Government building I believe the Queen's surrender had been received, and I heard a rumor that Stevens had recognized the Provisional Government, and thought it was started by some of our people to bear on the Queen's people in the station house and barracks to cause them to surrender. At any rate, they did surrender quite early in the evening.

After the commission went to Washington we continued to carry on the Government and could have continued so without any assistance, but there were rumors of uprisings, and a great many thought that if the United States flag was raised it would at any rate prevent bloodshed. This view prevailed against considerable opposition, and, the flag having been raised, there certainly has been no bloodshed.

When Blount arrived, the council learned that he had called on President Dole almost immediately and had stated to him that he must take down the flag for he could not continue negotiations while the flag was flying. This was done on the first of April. Shortly after the provisional council called on Commissioner Blount in a body. He received us courteously, and Mr. Damon, who acted as our spokesman, said that he would willingly give him all the information in our power. Mr. Blount replied that when he wanted any information he would send for us. Damon said that he could tell a good deal about the country, whereupon Mr. Blount slapped him on the shoulder and said: "I guess you're my man," and made an appointment for two or three

days later. I never was called upon for any information, and saw no more of Commissioner Blount.

Mr. Fred Wundenburg said to me a day or two after the revolution, after Ashley's appointment as marshal, that on Saturday, January 14, he was made a committee to get arms and men, and that he ascertained that night that he could get over 200 armed and ready. He appeared to be angry that he was not made marshal, and seemed to think that such service demanded recognition. He said he had no further use for the Provisional Government from that time on.

While the Queen was attempting her revolutionary act on the 14th I met Marshal Wilson near the station house. He was dressed in his uniform. Said he was very much opposed to what she was doing. That if she did not desist he would go and shut her up in a room by herself. He also added that she was wild and angry, and would not listen to him; whereupon I said, thinking to test his sense of sincerity, and knowing that my suggestion, if followed, would probably bring her to terms: "You go right up to the Palace and tell her that if she does not stop at once and abandon that plan about a new constitution you will resign your position as marshal; and if she won't listen to you, resign then and there." Wilson did not appear to like that, and walked off, saying: "I guess I won't do that." One of the deputies standing near me said, very significantly, "Wilson is fooling you; he does not mean anything of that kind."

JAS. F. MORGAN.

Subscribed and sworn to before me this 5th day of December, A. D. 1893.

[SEAL.] CHARLES F. PETERSON,
Notary Public.

AFFIDAVIT OF WILLIAM R. CASTLE.

HONOLULU, *Oahu, ss:*

My name is WILLIAM R. CASTLE; I was born in Honolulu in March, 1849; my parents were American missionaries. My father arrived here in 1837 and still lives in Honolulu; he is the senior member of the mercantile house of Castle & Cooke. I have always resided in Honolulu, with the exception of two years spent at Oberlin College and five years in New York City, where I studied law and practiced for a short time. I returned to the Islands in 1876, at the request of King Kalakaua, as attorney-general. I have been more or less connected with Island politics ever since, though always unwillingly, as it has interfered with my business. Have been a member of the Legislature five sessions.

Until very recently I have constantly and consistently opposed annexation to the United States; I have a strong regard for the native people and have hoped that the native Government might continue, and it is only recently that I have felt compelled to change my views upon this subject. I do not think that it will ever be possible to have a government of security to person and property in Hawaii under the old forms. This conclusion has been reached very reluctantly, after closely watching political affairs since my return in 1876.

During the latter part of the legislative session of 1892 I felt certain that a climax must very soon be reached, and that some very radical change must take place in the Government, or that the monarchy must come to an end. Aside from conversation upon this subject with a

few friends, and some speculation as to when a change might come, how it would be forced and who would do it, nothing was done; there was no organization, nor any plans made. During the last week of the Legislature the air was filled with rumors, and the prospect looked very dark. Still, nothing was done, and when the Queen, on the 14th of January, actually attempted her revolutionary act—so far as any preparation was concerned—we were actually taken by surprise.

I was intimately acquainted with Minister Stevens and Capt. Wiltse, with both of whom I often talked over the political situation. We all felt that trouble was impending, but I do not think that anything was more strongly impressed upon my mind by what either of these men said than the thought that if trouble came and our rights, our liberties, and property were threatened, we must help ourselves, for we could have no outside help, unless, indeed, such things should occur as might ensue from a state of anarchy, when, as I understood, Americans might expect assistance to the extent of personal protection and the protection of property against mob violence. Knowing what a Hawaiian mob meant from the illustration given in 1874, considerable uneasiness was felt in Honolulu when the *Boston*, with Minister Stevens, left Honolulu a week or ten days before the prorogation of the Legislature, and her return was observed with great relief upon the morning of the 14th.

Several days before the prorogation, things were in a very precarious condition. Corruption was open and flagrant in the Legislature; the lottery and opium bills were suddenly taken up and passed, and the same combination immediately ousted the Wilcox cabinet, which was the only one since the session opened which had the entire confidence of the community. Upon this, the Reform members of the Legislature, by way of protest, hoping to prevent the obtaining of a quorum, with which any more outrageous legislation could be enacted, absented themselves from the House. Upon Saturday morning, however, the day set for the prorogation, they succeeded in getting a quorum, a new ministry was immediately announced, and the opium and lottery bills, to the consternation and surprise of the community, were returned signed.

After seeing personally what took place I returned to my business and remained at my office closely occupied until nearly 2 o'clock. As I was about to return to my home I heard that the Queen was trying to abrogate the constitution, and at once went to the street in front of the palace, where I could see what was going on. Natives were the favored ones, being allowed ingress and egress, and from them I learned what was taking place. I saw the Queen come out on the veranda and speak to the crowd of natives who assembled below. After speaking some little time a native came and told me that she had said that owing to unexpected opposition and difficulties over which she had no control she would not then promulgate the new constitution, but she stated that the matter was merely deferred for a few days.

Immediately after this I saw William White, the native member for Lahaina, come out of the palace, run part way down the steps where he stood, and began a loud and furious harangue. Twice I observed Maj. Boyd, who was in full uniform, come down the steps and, touching his shoulders, apparently say something to him, but he was furiously shaken off. Upon inquiry from another native who came out I learned that he was making a most incendiary speech; that he was saying that their hope of a new constitution was defeated by the interference of whites, and he urged them to rush into the palace and kill

such persons as were opposing this plan. I expected to see another such riot as that of 1874, but learned afterwards that someone else counseled them to wait a few days, when they would get all they desired.

Returning down town I went to the office of W. O. Smith, where an impromptu meeting of foreign residents had assembled. A paper was lying upon the table, which had been extensively signed, in which the signers pledged themselves to oppose to any extent the revolutionary plans of the Queen, and to sustain the cabinet, which was trying to fight her off. If I recollect right, Paul Neumann, Peterson, Colburn, and others who have subsequently come out strongly in favor of the Queen, were then present. I heard Colburn state the situation to the meeting, saying how the lives of members of the cabinet had been threatened in the palace on account of their opposition to the Queen's plans, and Mr. Colburn then called upon the community to support them in this opposition. We were not informed and did not then learn that the Queen had expressed surprise at Peterson's opposition, he having had a month to consider this proposed new constitution and not having made any objections.

The community was now thoroughly aroused; it was felt that life, property, and liberty were seriously imperiled, and the meeting immediately elected a chairman and secretary, and a committee of public safety of thirteen members was at once appointed, of which I was a member. Subcommittees were at once appointed, which went about their business immediately, and the meeting adjourned to meet at my house on Sunday morning. That evening a number of us met at Mr. Thurston's residence to talk over the situation and attempt to make some plans for a provisional government in case the radical measures of overthrowing the Queen should finally be deemed necessary as the only available course. During the evening Mr. Fred. Wundenburg came in and reported on what success he had met in a two or three hours' search for arms and men to oppose the Queen. So far as I can now recollect, he stated that he had not been able to find more than 60, although it was believed that a very much larger number could be obtained as soon as the community should know that it was required.

I think that after Mr. Wundenburg left a messenger came from the Drei Hundred, a well-known organization of Germans, offering the services of their men, numbering, to my recollection now, about 80, and their arms. The next morning the committee of public safety met at my residence and remained in session a considerable part of the day. It was finally decided that the proper method was to ascertain public feeling, for which purpose a mass meeting was called. We felt that if a representative meeting should demand the deposition of the Queen and the establishment of another government which the members of the meeting would back up, the time had come to make the attempt. The question was one of force sufficient to carry out the intention.

The meeting was called for Monday, and its voice was so unmistakable that preparations were concluded as rapidly as possible to take possession of the Government by force, establish a Provisional Government, and ask for annexation to the United States, which was also the almost unanimous desire of the meeting. From the close of the meeting till the final movement preparations were conducted openly and notoriously. The offer of arms, ammunition, and men came in from all sides; the thing lacking was a disciplined force, but there was no doubt as to the enthusiasm and determination of the respectable, conservative

portion of the community to make an end of corrupt and misgovernment and get security and peace by good government.

During this period I saw Minister Stevens several times, also Capt. Wiltse, and conversed with them upon the situation. I stated freely that we proposed to fight for good government, and hoped that we should at least have the moral assistance of the United States by a recognition of the Provisional Government which was proposed to be established, but I have no hesitation in saying that we were given to understand clearly and definitely that the usual rule in such cases would be followed and that we could not be recognized unless we became in fact the Government of the country by taking possession of the seat of government, which I certainly understood to mean the various departments, including the treasury, the courts, and the archives of the Government. It was to this end that our efforts were directed and we expected a bloody fight to ensue when we went to the Government building.

According to my recollection now, the request to Minister Stevens to land United States marines was not thought of until Monday forenoon, when it was prepared in response to the request of numerous citizens of many nationalities, some of whom had a vivid recollection of the doings of the mob of 1874. They were people who thoroughly indorsed our course and believed that we would succeed, but who felt that while the attack was being made and the fight going on around the Government building, a brutal mob would, in all probability, be incited by the royalists to burn and destroy property, in the suburbs as well as in the business portions of the town and that outrages would be committed upon the persons of women and children. Threats of such violence were made, and certainly several members of the Legislature, if their words were to be believed, would not only incite, but lead on just such a mob.

The request was therefore made to Minister Stevens for exactly that kind of protection. It was put in writing, signed by all the Committee of Public Safety, and taken to Minister Stevens by Mr. Thurston and myself after the mass meeting. About 5 o'clock that evening troops were landed and disposed about the town where they could be most easily obtained should occasion require. Both Mr. Thurston and myself were ill with very severe colds, which in my case ran into an attack of asthma, and with Mr. Thurston into threatened pneumonia, which prevented our taking part in much which followed during the next twenty-four hours. Monday night was one of suspense and terror throughout the entire community. A riotous uprising of the mob element was feared at any moment; no confidence was felt in the ability or disposition of the Queen's Government to cope with the same. Two incendiary fires did, in fact, occur, but no outbreak happened.

It is my belief, which I think is shared by nearly every one, that the mere presence of United States troops exercised a restraining influence and prevented any riotous uprising. While the troops were landing and marching up Fort street, I was in town and met Marshal C. B. Wilson, with several others, near the bank of Bishop & Co. Mr. Wilson quite sternly wanted to know what the troops were landed for. I told him exactly what had occurred, giving him the substance of the note to Minister Stevens, and stating that I believed the object for which the troops were landed would be strictly observed.

At this point I desire to state that if there had been any plan or conspiracy by which the United States troops were to land and assist the revolutionists in overturning the Government, I should most certainly

have known it. There was no such plan, and I utterly repudiate the attempt to impugn the character and actions of both Minister Stevens and Capt. Wiltse, and state here that it seemed to me at that time, and I believe now that they would have been perfectly justified in giving a quicker and more open support to the Provisional Government than was finally accorded by recognition, and that they still would have been within the requirements of international law upon that subject.

For a few moments on Tuesday evening between five and six o'clock I was able to go to the Government building, where I found the Provisional Government in full possession and exercising the functions of government. A military establishment was being rapidly perfected; there were hundreds of men under arms whose names were being enrolled in companies; patrols were already being set to guard the town, and there was every evidence of the Provisional Government's being in successful control. I inquired at once whether the United States minister had recognized the Provisional Government but was answered that such recognition had not yet been accorded.

The negotiations were going on at that time for the surrender of the barracks and station house, while a conference was held at the palace with the Queen. Going out of the building I saw that all was quiet at the Arion Hall; not a soldier being in sight excepting two or three sentries, who were pacing the yard. Indeed I saw nothing of United States troops after their landing on Monday night until my departure on the following Thursday morning with the annexation commission for Washington. The United States troops did not lift a finger to bring about the result. If the Queen's Government, the police department, thought they would be attacked by United States troops that certainly was their own concern, and nothing with which either the Provisional Government or the United States troops had anything to do.

When in the yard surrounding the Government building, somewhere between 5 and 6 in the evening, I met Capt. Wiltse and asked him with some surprise if they were not going to recognize the Provisional Government. I knew that we were in possession, and knowing the moral strength we should receive from such recognition and that we were certainly the de facto government, I felt that it might have been given sooner. Capt. Wiltse replied quickly: "Oh no, we can't recognize you until you are also in possession of the barracks and station house."

I returned from Washington on the 7th of April upon the same steamer which brought Mr. Charles Nordhoff to Honolulu. Mr. Blount was already here and the flag had already been lowered. Although there was some solicitude in town, I found everything orderly and quiet. Within a few days I called on Commissioner Blount and had a pleasant conversation with him. I informed him that I had an intimate knowledge of what had taken place, and believing that he desired to obtain only the facts and all the facts, should be happy to furnish him all the information in my power; and also put him in the way of receiving information on all subjects connected with the islands. Although I saw Commissioner Blount several times after this, up to the time of his departure, he has never accorded me an interview, nor has he asked for any statement in regard to the matter.

Owing to my intimate knowledge and acquaintance with the Hawaiian people, several deputations from other parts of the country came to me to procure interviews with Mr. Blount. I recollect particularly two instances in which I wrote a note, saying that the natives would like to interview him; that an interpreter would be furnished; that

they were poor and wanted to return to their homes as soon as possible, and that a steamer would leave within three days after my note was dated, and requested an interview within such time. In each case, Mr. Blount fixed the interview after the departure of the steamer; in one case the natives remained at considerable expense, for another steamer did not go for ten days; in the other they were discontented and disgusted, and went home.

WILLIAM R. CASTLE.

Subscribed and sworn to before me, this 5th day of December A. D., 1893.

[SEAL.] CHARLES F. PETERSON,
Notary Public.

AFFIDAVIT OF EDWARD D. TENNEY.

HONOLULU, *Oahu, ss:*

My name is EDWARD D. TENNEY; I was born in the State of New York; I am 35 years of age; came to the Hawaiian Islands in 1877, and have lived here ever since. I am a member of the well-known mercantile house of Castle & Cooke; I am a member of the advisory council of the Provisional Government and have been such since the 17th of January, when the Government was proclaimed. Up to that time I have had nothing to do with Hawaiian politics, but have been a careful observer of the progress of events.

If we could have had good government I think the country would have been as well off, at least for the present, to have remained as it was, but the conviction has been growing upon me for several years that the Hawaiian monarchy could not last. It certainly had reached the end of its usefulness; corruption was rife and the Government was certainly upon the verge of financial disaster. The Queen made matters worse by her obstinate determination to assume despotic power and overthrow constitutional government, and I think that she is responsible for the overthrow of the monarchy and her own deposition.

I was present, a close observer of events, during January, 1893; had been at my business Saturday morning the 14th, but was at home most of the day. I heard from a passer-by of the Queen's attempt to abrogate the constitution. Drove into town very soon; found the general feeling was that the Queen had gone to a point where people could not yield any longer. There was a feeling of intense and feverish anxiety as to what might follow. It was so on Sunday and Monday; business was almost entirely suspended. It was very well known that men were preparing for action. In the afternoon all business was stopped and the community thronged en masse to the old rifles armory, where a most enthusiastic, but orderly and determined, meeting was held. All were serious; all in deep earnest. The purpose of the mass meeting, as it was there understood, was that the Queen must be deposed; that she had gone to a point where the community could no longer bear with her.

I knew nothing whatever of the plans which were being made; I had not consulted with any of the committee of safety. I had come to the conclusion that to insure safety, security to property, and good government, the form of Government must be changed; that night was one of intense excitement and uncertainty. There was great fear of what might happen; it was felt that if the mob element became aroused the Queen's Government would have no control whatever,

and when it became known that United States troops were landed a feeling of security became general—among the women and children more particularly. The Queen's Government was very uncertain; they did not know where they stood, and I do not think they could have afforded protection.

The committee of safety proceeded openly. Its purpose was perfectly well known to dethrone the Queen and establish a new Government. It seemed to me certain that if the Queen's Government had felt themselves masters of the situation, they would have arrested the leaders, instead of which, the committee carried out its work at its own will. The next day, the 17th, there was the same feeling of unrest and uncertainty as to whether the Queen's Government would resist the new Government. About 11 o'clock in the morning, I was waited upon by a committee and asked if I would become one of the advisory council. All arrangements as I then understood were then completed.

I said that while I was somewhat in the dark, I believed the only way we could get settled government was to depose the Queen, and I consented. Nothing was said about Minister Stevens or of any support to be obtained from United States troops, nor had I heard any rumors of that kind. No doubt was felt that we could depose the Queen, and that under the prevailing conditions the new Government would be immediately recognized. At 1 p. m. I met the committee at W. O. Smith's office. The proclamation was read and agreed to and signed by all who were then present. About 2:30 we left for the Government building unarmed and walked up nearly all together. We asked for the ministers. There were none there; waited ten or fifteen minutes for some of them to appear.

There appearing no occasion for further delay, the proclamation was then read, no one being present but the executive and advisory councils, the committee on public safety, some Government clerks, and a few others. While the proclamation was being read, Col. Soper arrived, and it being deemed necessary that we have force at once I went to the armory on Beretania street, whereupon a force of armed men went there immediately. From that time on, dozens and scores of armed men poured in till the buildings and premises were filled to overflowing. I believe that before 5 p. m. 1,000 to 1,500 men were there, not all armed by any means, but asking for arms to support the Provisional Government. Several hundred were armed and all were determined to hold the position at any cost. As an evidence of the feeling of the community, I observed that many former supporters of the monarchy came in and joined us.

When we felt that we had force sufficient to hold our position, and that the monarchy was in fact overthrown, we being in possession of the headquarters and center of the Government, notes were sent to all the foreign ministers and consuls, stating the fact and asking for recognition as the *de facto* Government. I can not recollect whether, in fact, Stevens's recognition came in just before or just after the Queen's surrender. No one, at any rate, felt that there was any doubt that we were masters of the situation, and that no other government existed. As I recollect, before Stevens's recognition came, the order for the surrender of the station house and barracks had been received.

Although the United States troops were on shore absolutely none were seen, so far as I know. Arion Hall, where they were posted, faced a street opposite the Government building, but no troops were in sight, and they took absolutely no part at all. I recollect Capt. Wiltse came

in with an aid and looked around, and he asked some questions as to the extent of our possession.

Martial law was immediately proclaimed by the Provisional Government, the town and surrounding country was at once divided into districts, our patrols were sent everywhere to maintain order and quell any possible disturbance. They were in possession of the entire town and surrounding country and maintained perfect order. As soon as it was known that the Provisional Government was established, suspense and anxiety subsided and everything settled down into a sense of security.

The United States flag was subsequently raised because it was thought that the mere act would operate to secure quiet and prevent bloodshed. The Provisional Government had no doubt of its ability to put down any revolt and maintain its position. Although there was some opposition, it was deemed best on the whole to ask for protection, and it was done.

Commissioner Blount arrived late in March, and pulled down the flag April 1. He wanted to do it the afternoon before, but it was deferred until the next day upon the Government's request to give time to have the town again patrolled and insure the maintenance of the peace. No disturbance followed, and the Government has been growing stronger and more secure every day since.

I called upon Commissioner Blount alone; was not with the advisory council when they called, but the commissioner knew that I was a member of the advisory council. Learning shortly after that he desired to see a sugar plantation, I was requested to take him to the Ewa plantation, of which our house are agents. I did so. Various matters were discussed, but no politics were talked of in any way. He has not asked me for any information at any time. I would have been glad to have furnished him with all in my power.

E. D. TENNEY.

Subscribed and sworn to before me this 7th day of December, A. D. 1893.

[SEAL.] CHARLES F. PETERSON, *Notary Public.*

AFFIDAVIT OF COMMITTEE OF SAFETY.

We the undersigned hereby upon oath depose and say:

That we are the persons appointed as a citizens' committee of safety, at Honolulu, in January last.

That neither prior to nor after our appointment as such committee, did we or either of us, individually or collectively, have any agreement or understanding, directly or indirectly, with the U. S. minister, Mr. Stevens, or Capt. Wiltse, that they or either of them would assist in the overthrow of the monarchy or the establishment of the Provisional Provisional Government.

That at no time, either before or after such appointment, did Mr Stevens ever recommend or urge us, or either of us, to dethrone the Queen or establish a Provisional Government.

That at no time, either before or after such appointment, did Mr. Stevens or Capt. Wiltse promise us, or either of us, that the United States troops would be used to assist in the overthrow of the Queen or the establishment of the Provisional Government, and such troops, in fact, were not so used.

That at the time the committee addressed Mr. Stevens concerning the landing of the troops to maintain the peace the Queen's Government was utterly demoralized. The Queen had denounced her cabinet and they had publicly appealed to the citizens to support them in a forcible resistance to the Queen. The new Government had not been organized and the air was full of rumors and threats of violence and conflict. The presence of the troops was a strong feature in preventing the irresponsible and lawless element of all nationalities from outbreak, but was not asked nor used for the purpose of dethroning the Queen nor establishing the Provisional Government.

That the forces that rallied to the support of the Provisional Government were ample to overthrow the monarchy and establish the Provisional Government, and such action would have been taken by the committee regardless of the presence or absence of the American troops.

That the reason of the confidence of the committee in its ability to accomplish its object was that the same men who were supporting the movement had carried through a peaceful revolution in 1887 and suppressed an armed uprising in 1889. The armed supporters of the movement were not a disorganized body, as has been represented, but were composed largely of the volunteer white militia which was in existence and formed the effective strength in the conflicts of 1887 and 1889, and which, although disbanded by the Royalist Government in 1890, had retained its organization, and turned out under the command of its old officers, constituting a well drilled, disciplined, and officered military force of men of high character and morale, with perfect confidence in themselves, and holding in contempt the courage and ability of those whom they have twice before overawed and defeated.

C. BOLTE.
ED. SUHR.
F. W. MCCHESNEY.
J. A. MCCANDLESS.
WILLIAM O. SMITH.
WM. R. CASTLE.
ANDREW BROWN.
JOHN EMMELUTH.
W. C. WILDER.
THEODORE F. LANSING.
HENRY WATERHOUSE.
L. A. THURSTON.

Subscribed and sworn before me this 4th day of January, A. D. 1894, by C. Bolte, Ed. Suhr, F. W. McChesney, William O. Smith, Wm. R. Castle, Andrew Brown, John Emmeluth, W. C. Wilder, Theodore F. Lansing, Henry Waterhouse, and L. A. Thurston, as a true and correct statement.

[SEAL.]

THOS. W. HOBRON.
Notary Public.

STATEMENT OF PERSONS PRESENT AT MEETING OF COMMITTEE OF SAFETY, JANUARY 16.

We, the undersigned, hereby depose and say that we were present at the meeting of safety at the residence of Henry Waterhouse on the night of Monday, January 16, last.

That at such meeting no suggestion was made nor expectation expressed that the United States troops would assist in the overthrow of the Queen or the establishment of the Provisional Government.

That at no time during such meeting did Mr. Soper or any other member thereof go to Mr. Stevens's house, nor did Mr. Soper or any other member of such meeting report that they had seen Mr. Stevens and that he had assured them of the support of the *Boston's* men.

That the statement of F. Wundenburg upon this subject and others, as published in connection with Mr. Blount's report, are misleading and untrue.

JOHN H. SOPER.
J. H. FISHER.
THEODORE F. LANSING.
HENRY WATERHOUSE.
WILLIAM O. SMITH.
JOHN EMMELUTH.
J. B. CASTLE.
F. W. MCCHESNEY.
ANDREW BROWN.
C. BOLTE.
J. A. MCCANDLESS.

Subscribed and sworn to before me this 4th day of January, A. D. 1894, by John H. Soper, J. H. Fisher, Theodore F. Lansing, Henry Waterhouse, William O. Smith, John Emmeluth, J. B. Castle, F. W. McChesney, Andrew Brown, and C. Bolte as a true and correct statement.

[SEAL.] THOS. W. HOBRON,
Notary Public.

AFFIDAVIT OF FRANK BROWN.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

FRANK BROWN, being duly sworn, deposes and says, that he has resided in the Hawaiian Islands for the past forty-seven years; that he was a member of the Legislature for many sessions; that he was in Honolulu prior to and during the revolution of January 17, 1893; that the period from Saturday until the troops landed he considered an interregnum; that in his opinion there was no government during those days; that he considered the landing of the United States troops a very good thing to show that there was some protection against incendiarism and destruction of private property in case anything should happen; he was in the riot at the time of Kalakaua's election when troops were landed, and was not sure but there would be a repetition of the trouble at that time; that in his opinion there was much more cause for landing the troops in January, 1893, than there was in 1887, as upon the former occasion the city was thoroughly guarded by the respectable element of the community, whereas in January last no such preparation had been made.

FRANK BROWN.

Subscribed and sworn to before me this 30th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

AFFIDAVIT OF P. F. A. EHLERS.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

P. F. A. EHLERS, being duly sworn, deposes and says, that he was born in Germany; that he has resided in Honolulu since 1866; that he has a family, is a householder, and is engaged in business here; that he was in Honolulu prior to and during the revolution of January 14–17, 1893; that he talked with people, heard rumors, and that there was a state of great excitement and alarm; that the presence of the United States forces when they landed was a good thing, and prevented possible lawlessness which would have resulted in loss of property and possibly life.

P. F. A. EHLERS.

Subscribed and sworn to before me this 30th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

AFFIDAVIT OF J. H. FISHER.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

JOSEPH HENRY FISHER, being duly sworn, deposes and says that he is 36 years of age, born in San Francisco, Cal., United States of America, and has lived in Honolulu since February, 1883, and has been since that date employed as teller in the bank of Bishop & Co. Is married and has a family. Is a property owner. Was captain of Company B, Honolulu Rifles, disbanded in August, 1890. That on the 14th day of January began to recruit ex-members of Company B and others to join in the movement for deposing Liliuokalani and forming a Provisional Government. Knew that other ex-captains of the Honolulu Rifles were doing the same. Compared notes with them and found nearly all of the old members very prompt in volunteering, and also many who were not formerly members. The roll of Company B on the evening of 16th January had the names of 45 volunteers; nearly all had arms and ammunition.

On that evening at a meeting of the committee of safety were organized as a battalion. Was appointed lieutenant-colonel. On the morning of the 17th January turned command of Company B over to Lieut. Potter. Orders were issued to assemble at the old armory promptly at 3 o'clock on afternoon of January 17. Matters were precipitated by the shot fired by Ordnance Officer Good on Fort street about 2:20 o'clock. Was at the armory immediately after, and at the request of the members of the new Government sent men as fast as they arrived in squads to the Government building, the first sent being Capt. Zeigler with about 36 men. Had not been told nor did not believe the United States marines would take part one way or another. This being the fourth time during his residence in Honolulu that he has taken up arms in defense of good government in the Hawaiian Islands.

J. H. FISHER.

Subscribed and sworn to before me this 2d day of January, A. D. 1894.

[SEAL.] ALFRED W. CARTER,
Notary Public.

AFFIDAVIT OF F. J. LOWREY.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

F. J. LOWREY, being duly sworn, deposes and says that he is an American citizen; that he is married, and a householder in Honolulu, and has large business interests in the Hawaiian Islands; that he was present in Honolulu prior to and during the revolution of January 17, 1893; that on Monday, the 16th, there was a general dread of incendiarism, and precautions were taken by himself and others for the protection of property; the feeling was so high that it was liable to break out into lawlessness and violence at any moment; that when he heard of the landing of the United States forces it was a great relief.

F. J. LOWREY.

Subscribed and sworn to before me this 28th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

AFFIDAVIT OF C. B. RIPLEY.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

C. B. RIPLEY, being duly sworn, deposes and says that he is an American citizen, has a family, and is a householder in Honolulu; that he was present in Honolulu prior to and during the revolution of January 17, 1893; that in his opinion the landing of the United States forces was fully justified by the critical condition of affairs at that time, and unquestionably prevented riotous acts which would probably have resulted in loss of life and property.

C. B. RIPLEY.

Subscribed and sworn to before me this 28th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

AFFIDAVIT OF E. F. BISHOP.

HAWAIIAN ISLANDS, *Honolula, Oahu, ss:*

E. F. BISHOP, being duly sworn, deposes and says that he was born in the United States and has resided in Honolulu over ten years; that he is secretary of C. Brewer and Company, an Hawaiian corporation; that he is married and a householder in Honolulu; that he took no part in the revolution of January 17, 1893, and has since remained passive politically; that on the evening of Monday, January 16, he heard that the United States forces had landed at about 5 o'clock; he did not understand that they had landed for the purpose of taking any hand in the revolution, but for the purpose of protecting American life and property; that he believed that the landing of the forces for that purpose was justifiable, as there was a great deal of allayed excitement in Honolulu at the time: that during the same evening, at about 8 p. m., he was present with his father-in-law, J. S. Walker, when that gentleman received a note from J. L. Stevens, the American

minister, asking for the use of Arion Hall as a shelter for the troops; that Mr. Walker immediately wrote a note informing the minister that the hall was leased to Mr. G. J. Waller, and dispatched this answer by the bearer who brought the minister's note.

E. F. BISHOP.

Subscribed and sworn to before me this 29th day of December, A. D. 1893.

ALFRED W. CARTER,
[SEAL.] *Notary Public.*

AFFIDAVIT OF J. B. ATHERTON.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

J. B. ATHERTON, being duly sworn, deposes and says that he is an American citizen; that he has resided in Honolulu for many years, has a family, a home, and large business interests; that on Monday, January 16, as an American citizen he went to see Mr. Stevens, the American minister, at about 2 p. m., to suggest the landing of the *Boston's* forces for the protection of American life and property; was told by the minister that it was his intention to land the forces, and was promised a guard for his home and property if he wished; that this affiant was very apprehensive and did not know what might happen; that he was present and witnessed the riot in 1874 at the time of the election of Kalakaua, and knew what such a thing meant as soon as the natives should be aroused and incendiarism suggested to them; that in his opinion there was more reason for the landing of the troops in January, 1893, than in 1874.

J. B. ATHERTON,

Subscribed and sworn to before me this 28th day of December, 1893.

ALFRED W. CARTER,
[SEAL.] *Notary Public.*

AFFIDAVIT OF W. L. WILCOX.

HAWAIIAN ISLANDS, *Honolulu, Oahu, ss:*

W. L. WILCOX, being duly sworn, deposes and says that he was born in the Hawaiian Islands, and has resided here during his whole life; that he has acted as interpreter during very many sessions of the Legislature and is permanently employed as Hawaiian interpreter for the courts; that he is perfectly familiar with the native language, and during the three days from January 14 to January 17 circulated among the Hawaiian people in Honolulu; that particularly on the Monday before the landing of the troops threats were made by the natives that they would destroy property in Honolulu by burning; these threats he repeated to members of the committee of safety and others.

W. D. WILCOX.

Subscribed and sworn to before me this 28th day of December, A. D. 1893.

[SEAL.] ALFRED W. CARTER,
Notary Public.

STATEMENT OF CHARLES L. CARTER.

ONE INCIDENT IN THE HAWAIIAN REVOLUTION.

At the meeting of citizens on Saturday, January 14, in response to the call of the Queen's cabinet for help, the anxiety of persons near

me and their requests for expression of their sentiments led me to ask Mr. Colburn, minister of the interior, at the close of his speech, what assurance there was that the constituted police and military forces would not make an attack? Whether the Queen's adherents would be removed from command of them? To this Mr. Colburn replied that as a cabinet minister he ought not to be asked to answer such a question in public, but that he could give assurances that a satisfactory settlement was even then being made. He then withdrew and called me to him—he was with Judge Hartwell—and to the best of my recollection one of them said in substance that the matter of which I had spoken was all right. A request to Mr. Stevens to land his forces had been prepared and was in Hartwell's hands to be delivered; that Mr. Stevens had consented to this for the purpose of defending the cabinet and the constitution against any possible aggression by the Queen. Later, Mr. Hartwell told me the paper had gone off for Mr. Peterson's signature and asked me to get it. I tried but failed to find Peterson.

I have since been told that Mr. Peterson still has the paper, and that for palpable reasons it was never shown to Mr. Blount.

The next morning the cabinet evaded all this and adhered to the Queen, and Mr. Stevens stated that he could not assist a counter revolution by the committee of safety.

The foregoing ought to explain the half truth upon which the old cabinet bases its charges against the American minister.

CHARLES L. CARTER.

HONOLULU, *January 2, 1893.*

STATEMENT OF L. A. THURSTON, HAWAIIAN MINISTER, PUBLISHED NOVEMBER 21, 1893.

WASHINGTON, *November 21.*

"I am urged to make a statement for publication, setting forth the position and claims of the Hawaiian Government and making reply to charges contained in Mr. Blount's report.

"As I have received no official information that Mr. Blount has made a report, have not seen a copy of it, and do not know what it contains, except from reading newspaper abstractions therefrom, and am unaware of the present contentions of the U. S. Government concerning Hawaii, I am unable, at present, in the absence of such knowledge, to intelligently state what the position and claims of the Hawaiian Government are. It would, moreover, be contrary to diplomatic courtesy for me to publish a statement on such subject prior to informing the U. S. Government of the same.

"A large portion of the published extracts from Mr. Blount's report consists, however, of personal attacks upon me and those associated with me in the Provisional Government, impugning our veracity, good faith, and courage, and charging us with fraud and duplicity. I deem it proper, therefore, to make a personal reply to such charges, confining myself to statements of fact, of which, as a principal actor, I am prepared to testify to before any impartial tribunal.

"First, before stating such facts, I desire to call attention to Mr. Blount's method of constructing his report. Although he, in several places, states that I was the leader of the revolutionary movement, he has never asked me a question concerning the same, nor given me opportunity to make any statement, although I have at all times been

ready and willing to do so. The same is true of a large number of other men who took a leading part in the movement of January last.

"In the second place his evidence consists exclusively of prepared affidavits or of answers to leading questions put by himself, at private interviews, no one else being present but the stenographer. In no instance has there been any cross-examination of witnesses or opportunity given to contradict or explain evidence given or present other evidence.

"A brief examination of the published portions of the report shows numerous incorrect statements. I shall endeavor for the present, however, to answer the more salient points only.

"First, Mr. Blount charges that the American troops were landed under a prearranged agreement with the committee of safety that they should so land and assist in the overthrow of the Queen. In reply thereto, I hereby state that at no time did Mr. Stevens or Capt. Wiltse assure me or the committee of safety, or any subcommittee thereof, that the United States troops would assist in overthrowing the Queen or establishing the Provisional Government; and, as a matter of fact, they did not so assist. I can produce witnesses in support of this statement, of the highest responsibility, in overwhelming number, but Mr. Blount has rendered it unnecessary to do so. The statements of Mr. Wundenburg and Mr. Damon have been put forward as the strongest evidence in support of Mr. Blount's contention. In Mr. Wundenburg's statement he says that when the committee of safety told Mr. Stevens they were not ready to act, he replied: 'Gentlemen, the troops of the *Boston* will land at 5 o'clock whether you are ready or not.' The reason of this reply and the subsequent landing of the troops is manifest. The troops were landed to protect American citizens and property in the event of the impending and inevitable conflict between the Queen and the citizens, and not to cooperate with the committee in carrying out its plans. In fact, the troops did not cooperate with the committee, and the committee had no more knowledge than did the Queen's Government where the troops were going nor what they were going to do. The whole gist of Mr. Damon's long examination is likewise contained in his statement that when, after the organization and proclamation of the new Government, the request was made for the support of the United States troops it was refused, Commander Swinburne, the commanding officer, sending back word, 'Capt. Wiltse's orders are, "Remain passive."'

"Second, Mr. Blount charges that the Queen had ample military force with which to have met the committee, and but for the support of the United States representatives and troops the establishment of the Provisional Government would have been impossible. In reply thereto I hereby state that, although the presence of the American troops had a quieting effect on the rough characters in the city and may have prevented some bloodshed, they were not essential to and did not assist in the overthrow of the Queen. The result of the movement would have been eventually the same if there had not been a marine within a thousand miles of Honolulu.

"In support of this statement I cite the following facts:

"1. The troops did not land till Monday night, the 16th of January, after the revolution had been in full progress since the afternoon of Saturday, the 14th, during which time the committee of safety was openly organizing for the avowed purpose of overthrowing the Queen.

"2. There was absolutely no attempt at concealment from the Government of the objects and intentions of the committee.

"3. The Queen, her cabinet, and their supporters were utterly demoralized, suspicious of one another, and devoid of leadership.

"4. The committee of safety and their supporters were united; had ample force to execute their purpose; knew precisely what they wanted, and proceeded with intelligent deliberation, thoroughness, and confidence to do it.

"There is no conflict concerning the facts of the first proposition. It is admitted by all that the Queen began the revolution at noon on Saturday, the 14th, by attempting to promulgate a constitution; that such attempt was immediately followed by preparation on the part of the citizens for armed resistance, and that the United States troops landed at 5 o'clock Monday, the 16th.

"In support of the second proposition, that there was no concealment from the Government of the intentions of the committee, I submit the following:

"1. On the afternoon of Saturday, the 14th, in reply to the request of the Queen's cabinet for advice as to what they had better do, the Queen then still insisting upon the proclamation of the constitution and supporting it by force, I advised them to declare the Queen in revolution and the throne vacant, and at their request and at the expressed approval of two of them and the tacit assent of the other two, then and there drew up a form of proclamation to that effect.

"2. At half past 4 in the afternoon of Saturday, the 14th, at a meeting of about 200 citizens at the office of W. O. Smith, the Queen was denounced in the strongest terms, armed resistance and a counter revolution were openly advocated, and the Queen's minister of the interior, John Colburn, addressed the meeting, asking their armed support against the Queen. The Queen's attorney-general, Mr. Peterson, and her attorney, Paul Neuman, were both present taking part in the meeting. The committee of safety was publicly then and there named and proceeded forthwith to organize.

"3. At 6 o'clock on Sunday morning, the 15th, I told Mr. Peterson and Mr. Colburn, two members of the Queen's cabinet, that the committee intended to depose the Queen and establish a provisional government; that if they would take charge of the movement, well and good, otherwise the committee intended to take action on its own account. They ask for twenty-four hours in which to consider the matter. I declined to wait, stating to them that the committee intended to proceed forthwith.

"4. The committee met openly that morning at 10 o'clock, with the full knowledge of the Government of the place of its meeting. It remained in session during the greater part of the day, while several police kept watch of the building from the street.

"5. On Monday morning at 9 o'clock the committee, without attempt at concealment, met in my office, within 200 feet of the police station, Marshal Wilson's headquarters, where the entire police force was stationed. While the meeting was in progress Wilson came to the office and asked to speak to me privately, and we went into an adjoining room. Our conversation was, in substance, as follows:

"Wilson said: 'I want this meeting stopped,' referring to the mass meeting for that afternoon.

"I replied: 'It can't be stopped. It is too late.'

"He said: 'Can't this thing be fixed up in some way?'

"I replied: 'No, it can not. It has gone too far.'

"He said: 'The Queen has abandoned her new constitution idea.'

"I replied: 'How do we know that she will not take it up again as she said she would?'

"He said, 'I will guarantee that she will not, even if I have to lock her up in a room to keep her from doing it; and I'll do it, too, if necessary.'

"I replied: 'We are not willing to accept that guarantee as sufficient. This thing has gone on from bad to worse until we are not going to stand it any longer. We are going to take no chances in the matter, but settle it now, once and for all.'

"Wilson then left the office. He has since stated that he immediately reported to the cabinet and advised arresting the committee, but the cabinet was afraid and refused to allow it.

"6. At 2 o'clock on the afternoon of Monday, the 16th, a mass meeting of 3,000 unarmed men was held within a block of the palace. The meeting was addressed by a number of speakers, all denouncing the Queen. The meeting, with tremendous cheering and enthusiasm, unanimously adopted resolutions declaring the Queen to be in revolution, and authorizing the committee to proceed to do whatever was necessary. The police were present, but no attempt was made to interfere with the meeting or make any arrests. The meeting adjourned amid the most intense excitement, and the citizens dispersed throughout the town awaiting the further call of the committee. While this meeting had been in progress another was being held by the royalists in the streets, within a block of the armory, which adopted resolutions in support of the Queen.

"Never in the history of Hawaii has there been such a tense condition of mind or a more imminent expectation of bloodshed and conflict than there was immediately after the adjournment of these two radically opposed meetings. Mr. Blount's statement that the community was at peace and quiet is grossly inaccurate. It was at this juncture, two hours after the adjournment of the above meetings, that Capt. Wiltse and Mr. Stevens, acting upon their own responsibility and discretion, and irrespective of the request or actions of the committee, landed the troops, which were distributed in three parts of the city, instead of being massed at one point, as stated by Mr. Blount. The reason that the Queen's Government took no action against the committee, or its supporters, was that they were overwhelmed by the unanimous display of indignation and determination shown by the citizens, and were cowed into submission in the same manner that the King and his supporters were cowed under precisely similar circumstances by the same citizens in June, 1887.

"In support of the third proposition, that the Queen and her supporters were demoralized and devoid of leadership I submit the following:

"1. During the few weeks prior to the revolution Mr. Colburn, minister of the interior at the time of the revolution, had been one of the leaders of the political party opposed to myself, and he was bitterly hostile to me personally. My first intimation of the revolutionary intention of the Queen was at 10 o'clock on the morning of Saturday, the 14th, when Mr. Colburn came to me greatly excited. He told me of the Queen's intention to promulgate a new constitution, and asked my advice. I said to him: 'Why do you not go to the members of your own party?' He replied: 'I have no party. Those who have been our supporters are supporting the Queen. The down-town people [referring to the merchants] have got no use for me, and, unless the members of your party and other citizens will support us, we are going to resign right away.'

"2. At 1 o'clock the same day I met all the members of the cabinet at the attorney-general's office. They had just come from an interview with the Queen, at which she had announced her intention of promulgating a constitution and demanded their support. They stated that she had threatened them with mob violence, whereupon they had immediately left the palace, each one going out by a separate entrance. While we were talking a messenger came from the Queen requesting them to immediately return to the palace. Peterson and Colburn positively refused to do so, stating that they did not consider their lives would be safe there. I shortly after left them and started down town. After I had gone about two blocks I was overtaken by a messenger from the cabinet asking me to return, which I did. They asked me to ascertain what support they could expect from citizens, and formally authorized me to state the condition of affairs to leading citizens and in their behalf to call for armed volunteers to resist the Queen. I immediately proceeded to comply with their request, and, with the assistance of others, within an hour or two thereafter about 80 leading citizens had signed a written agreement agreeing to support the cabinet against the Queen by force.

"3. Later the same afternoon Mr. Colburn informed me that they had finally gone to the palace and held a stormy interview with the Queen lasting for over two hours. He told me he had no confidence in his colleague, Mr. Peterson, who he believed was playing double with him, and told me to beware of telling Peterson anything further. As a reason for his distrust he said that he knew nothing of the intention to promulgate a constitution, but that, while they were discussing the matter with the Queen, she said, in reply to an objection made by Peterson: 'Why did you not make this objection before? You have had this constitution in your possession for a month and raised no objection to it.' Colburn said also that in reply to an objection made by Mr. Parker, minister of foreign affairs, she said: 'Why did you not tell me this last night when we were talking over the subject?' Colburn further stated to me that at a caucus of their party on the previous Friday night one of the members of the Legislature, Kaluna by name, had said that if he could establish the new constitution he would die happy if he could kill some other man before dying.

"4. The Queen was furiously angry at the refusal of the cabinet to join her in promulgating the constitution, and publicly denounced them therefor.

"5. When the Queen made announcement of her failure to promulgate the constitution, two of the leading royalist members of the Legislature, one in the throne room in the palace and one upon the steps of the building, addressed the assembled crowd, denounced the cabinet as traitors, and said that they wanted to shed blood. One of the committee included the Queen in his denunciations.

"6. During the entire time between noon of Saturday, the 14th, and the afternoon of Tuesday, the 17th, when the Provisional Government was proclaimed, the Queen's cabinet was without plan of action, and did practically nothing but rush about the city consulting with various foreign representatives or citizens of all parties as to what they had better do, begging the American minister for the support of the American troops against the committee of safety, and securing from the Queen a declaration that she would not again attempt to abrogate the constitution, which they hurried into print and distributed broadcast to try and appease the indignation of citizens and break up the proposed mass meeting.

"In support of the fourth proposition that the committee and their supporters were united, had ample force to execute their purpose, and proceeded with deliberation and confidence to do so, I submit the following:

"An essential factor in judging whether the force of the committee was sufficient, and their confidence in themselves well founded, is to know what the same men under similar conditions have done upon previous occasions. Fortunately, there is no dispute as to the facts concerning two recent incidents in Hawaiian history in which the same parties who were brought into conflict in January, 1893, were arrayed against each other under similar circumstances:

"1. In 1887 the King, by a manipulation of the electorate and the legislature, had encroached upon popular rights and obtained autocratic power over the people. In this course he was supported by practically the same persons who in January last, and now, constitute the Royalist party in Hawaii. The open bribery, corruption, and debauchery of the King and his supporters crystallized the opposition thereto into an organization of practically the same men who organized and now constitute the Provisional Government. Such organization was formed with the openly avowed intention of wresting from the King his autocratic powers or dethroning him. In preparation for the expected movement the King fortified the palace, loopholed its basement for sharpshooters, erected sandbag breastworks at the entrance of the building, mounted cannon and Gatling guns at all the approaches thereto, largely increased his regular military force, and defied the organization and public opinion.

The leaders of the revolutionary movement proceeded deliberately to collect such arms as were available and organized their plans. An executive committee of thirteen was appointed, who took entire control of the movement and called a mass meeting in the same building used for that purpose in January last. The King attempted to head off the meeting by sending a letter to it promising certain reforms. The letter had no effect. Resolutions were adopted denouncing the King and demanding the granting of a new constitution depriving the King of all personal power. The resolutions were forthwith presented to the King by the committee, who, unarmed and alone, proceeded direct from the meeting to the fortified palace with the ultimatum that he comply with the demands within twenty-four hours or take the consequences.

"The King was then in absolute control of the regular troops, the especial troops enlisted for the occasion, 4 companies of native militia, the police, all the artillery and Gatling guns, the government buildings, the palace, the barracks, and the station house, with full knowledge of, and weeks of preparation for, the action taken by the citizens. His military strength was greater and his control of the public buildings more complete than was that of the Queen in January last. He did not fire a shot; submitted to all demands; disbanded his troops and turned the whole control of the Government over to the revolutionary party, which, in consideration of his abject submission allowed him to continue on the throne in a figurehead capacity.

"2. In 1889, while the same men who now constitute the Provisional Government were in control of the King's Government, a conspiracy was organized among the royalist supporters by the King and Liliuokalani for the overthrow of the cabinet and the restoration of the old royal power and constitution. The conspirators took the cabinet by surprise, and on the night of July 29 took possession of the Government

buildings and palace, and securing possession of all the artillery fortified the palace. The regular troops, by order of the King, refused to assist the cabinet, who called upon the white militia and white citizens for assistance. The call was promptly responded to. The revolutionists were protected by an 8-foot stone wall around the palace, and used artillery as well as rifles, while the cabinet supporters were armed with rifles alone. The fighting opened at 9 o'clock in the morning with less than 30 cabinet supporters in position in front of the palace, which number was later increased to about 500. The royalist revolutionists opened with a furious fire of both artillery and small arms. Within half an hour they were driven from their guns. Seven were killed and 12 wounded, and before dark all of them were dispersed or captured, while not one of the Cabinet supporters was injured.

"Such is the undisputed record of events upon two occasions when the royalists and the organizers of the Provisional Government have come into armed conflict when there has been no suggestion of support to either side by any outside power. Under these circumstances I submit that the burden of proof is upon those who claim that the leaders of the Provisional Government are cowards, or that they are incompetent to organize or successfully carry out a revolution against the royalists in Hawaii.

"It is unnecessary for me here to restate the details of the bitter constitutional conflict which had been carried on between the Queen and the Legislature during the seven months prior to January last, or to speak of the intense indignation existing among all classes of citizens by reason of the open and successful alliance of the Queen with the opium and lottery rings. The political liberties of the people had been trampled upon, and their moral sense shocked. It simply needed the added provocation of the arbitrary attempt to abrogate the constitution and disfranchise every white man in the country, to spontaneously crystallize opposition into a force that was irresistible.

"In reply to the sneer that the persons taking part in the movement were 'aliens,' I would say that every man of them was, by the laws of the country, a legal voter, whose right to the franchise was, by the proposed constitution, to be abrogated; a large proportion of them were born in the country, and almost without exception those who were not born there had lived there for years, owned property there, and had made it their home. They were the men who had built up the country commercially, agriculturally, financially, and politically, and created and made possible a civilized government therein. They were and are such men as to-day are the leading citizens of the most progressive communities of the United States, with interests as thoroughly identified with the interests of Hawaii as are the interests of native and foreign born citizens in similar communities in this country identified with it?"

Adjourned until Monday, the 22d instant, at 10 o'clock a. m.

WASHINGTON, D. C., *Monday, January 22, 1894.*

The subcommittee met pursuant to adjournment.

Present: The Chairman (Senator MORGAN), and Senators GRAY, BUTLER and FRYE, and Senators DANIEL and DAVIS, of the full committee.

SWORN STATEMENT OF JOHN A. McCANDLESS—Continued.

The CHAIRMAN. What connection had you with political movements in Hawaii, and when did you first become associated with any political movement in Hawaii?

Mr. MCCANDLESS. My first connection was in 1887. During the winter of 1886 and 1887 there was organized, under the laws of the Kingdom, an organization called the Honolulu Rifles, and it suddenly became very popular with all the foreigners and whites of the islands. I joined that military organization, and continued to be a member of it until 1888, when I made a visit to the States.

The CHAIRMAN. Did you hold any office in that organization?

Mr. MCCANDLESS. I was nothing but a private. I was one of a committee of thirteen of the political organization.

The CHAIRMAN. At that time?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. What was the nature of that organization?

Mr. MCCANDLESS. That was an organization to compel the King to grant a new constitution, or it was organized with the intention of forming a republic, making a republic—that is, deposing the King, making a republic with a view of annexing the islands to the United States.

The CHAIRMAN. Then why was not that purpose persisted in, or was it abandoned?

Mr. MCCANDLESS. It was persisted in that a great many people thought we should give the King one last show to redress the wrongs that he had committed, and take a great many of the prerogatives away from him, and perhaps he would do better. That spirit prevailed to such an extent that a mass meeting was called and strong resolutions were drawn up. They were made so strong that they did not think that any man of self-respect could accede to the demands of the resolutions, and so soon as he should refuse they would start the revolution.

The CHAIRMAN. How was that mass meeting as to numbers?

Mr. MCCANDLESS. The mass meeting of 1887 was a mass meeting of 1,200 people.

The CHAIRMAN. Of what class of people was that mass meeting composed?

Mr. MCCANDLESS. Of most of the white people of the Hawaiian Islands.

Senator GRAY. Where did you go from to Hawaii?

Mr. MCCANDLESS. West Virginia.

Senator GRAY. Where were you born?

Mr. MCCANDLESS. In Pennsylvania. My father moved from Pennsylvania when I was a boy. I went to California and stayed there a year and a half, and went to the Hawaiian Islands in 1881.

The CHAIRMAN. Your business out there was sinking artesian wells?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Did the King make concessions that reconciled this

mass meeting or combination of citizens to his longer remaining on the throne?

Mr. McCANDLESS. There was a committee of thirteen appointed at the mass meeting to wait on the King and present the resolutions to him, and he was given 24 hours to accede to the demands or take the consequences.

Senator FRYE. And you were a member of that committee?

Mr. McCANDLESS. No; I was of the executive committee. This was a committee appointed for the purpose of carrying the resolutions to the King.

The CHAIRMAN. Did the King accede to the demands?

Mr. McCANDLESS. He did.

Senator GRAY. Did he grant a new constitution?

Mr. McCANDLESS. Yes; he proclaimed the new constitution which we wrote out. I can tell the details of that.

Senator FRYE. That was the constitution of 1887?

Mr. McCANDLESS. Yes.

Senator GRAY. Did the King proclaim that by his own authority?

Mr. McCANDLESS. Yes.

The CHAIRMAN. Did his cabinet join him in signing it?

Mr. McCANDLESS. Yes.

The CHAIRMAN. Do you know whether the legislative assembly took any action in regard to that constitution?

Mr. McCANDLESS. It was taken in this way—recognized as the law of the land, and that question was never raised.

The CHAIRMAN. The general grievances of which you have been speaking, I suppose, consisted of the King's connection with the opium bill?

Mr. McCANDLESS. That was one.

The CHAIRMAN. What else?

Mr. McCANDLESS. It got to that point that the Government did not exist for anything but to tax the people and give them no return for it. Money was squandered in different directions—it was squandered in an embassy to Russia to assist at the coronation of the Czar. Then there was a man-of-war bought by Kalakaua, in which there was a stealage of something like $10,000. This was common report in Honolulu.

The CHAIRMAN. That is the information upon which you were acting?

Mr. McCANDLESS. Yes. Two of the ministers got $500 a month, but they actually only got $150 a month, and the remainder went to the King. The register of public documents, an office the same as our county recorders, whose office is carried on and supported by fees—in that office the King put a notorious man and entered into an agreement with him that he should have $150 a month and the balance of the fees to go to the King.

The CHAIRMAN. This is a general description of the nature of the abuses of which the people were complaining?

Mr. McCANDLESS. Yes.

The CHAIRMAN. How long was it after that reconciliation or restoration of confidence in Kalakaua that you remained in Honolulu or in the islands?

Mr. McCANDLESS. Of course, the revolution was the 30th day of June, 1887, and I remained there until the middle of July, 1888.

The CHAIRMAN. Where did you go then?

Mr. McCANDLESS. I went over to the State of Washington and

stayed there about a year. But my interests were the same in the islands.

The CHAIRMAN. And you returned to the islands?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. And remained there until when?

Mr. MCCANDLESS. The 1st day of June, last year.

The CHAIRMAN. Where was your place of residence on the islands?

Mr. MCCANDLESS. Honolulu.

The CHAIRMAN. Were you carrying on this business of sinking wells during all this time?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. That was your vocation in this country?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Did you have many men in your employ?

Mr. MCCANDLESS. The business varies there. At times I had 30 or 40 men.

The CHAIRMAN. Were these wells sunk on private account or Government account?

Mr. MCCANDLESS. Mostly on private account.

The CHAIRMAN. Did the Government have any interests in any of them?

Mr. MCCANDLESS. Yes; we have drilled wells for the Government.

The CHAIRMAN. Under contract?

Mr. MCCANDLESS. Under contract.

The CHAIRMAN. Between the period of the establishment of the constitution of 1887 and, I will say, within a year before this recent revolution, what was the state of the public mind, the public order, in Honolulu, I mean among the Hawaiian people?

Mr. MCCANDLESS. The state of the public mind from 1887 was that we had made a mistake, a serious one, that we had not carried out our intentions, because the King had no sooner proclaimed the new constitution than he began to reach out for his prerogatives, and it was a conflict from that day up to January, 1893, between the people and the sovereign.

The CHAIRMAN. During that period of time do you know of any movement to break down the constitution or of dethroning Liliuokalani or for the purpose of annexation to the United States?

Mr. MCCANDLESS. From that period up to the 14th of January of last year?

The CHAIRMAN. Yes.

Mr. MCCANDLESS. I do not; except the Ashford and Wilcox conspiracy.

The CHAIRMAN. If such an organization as that had existed in Hawaii would you necessarily have known it?

Mr. MCCANDLESS. I will state it this way: I was in the revolution of 1887, and was one of the executive committee. I was one of the committee of thirteen that made the constitution of 1887, and I was one of the committee of safety that was organized that afternoon from a large crowd, and I do not think anything of that kind could have been in existence in the Hawaiian Islands and I not know it.

The CHAIRMAN. So that your position was a prominent one in connection with this movement that you have been describing?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Now, at what time did you personally get the first information that Liliuokalani had discarded the constitution of 1887, or intended to do so?

Mr. McCANDLESS. So soon as she came on the throne, or so soon as the remains of Kalakua came back (of course that was the first information that we had of his death), rumors were circulated that she did not intend to, or would not, take the oath under the constitution of 1887. We had information that she hesitated, and that the chief justice urged her, and the friends urged her, to sign the constitution, and she did so with hesitancy. Then, probably in the fall of 1892, my brother came to me with the information that the Queen had a programme. This information came to him, I think, from Mr. Peterson, but I am not sure on that point—that is, her late attorney-general—that the programme was to give the opium to the Chinese, which would win the Chinese; to give the lottery to the gamblers, which would win the gamblers, and to grant a new constitution to the Hawaiians. All that was then left were the missionaries, who could go to Hades. That was the programme that was given to me in the fall of 1892. But we did not believe it. There were rumors of that kind constantly through the Legislature during the term of the Legislature of 1892. But anything aside from that—it came to me about half past 1 on Saturday afternoon, the 14th of January.

The CHAIRMAN. Do you recollect the month in which the Legislature met?

Mr. McCANDLESS. On the 30th day of May.

The CHAIRMAN. And continued in session without interruption?

Mr. McCANDLESS. Without interruption; yes.

The CHAIRMAN. Was that an exciting term of the Legislature?

Mr. McCANDLESS. Very much.

The CHAIRMAN. And the public attention was brought to its proceedings?

Mr. McCANDLESS. Constantly.

The CHAIRMAN. And it was during this session of the Legislature that you heard this rumor, that it was suggested that Liliuokalani intended to overthrow the constitution?

Mr. McCANDLESS. Yes.

The CHAIRMAN. And you stated the information to be that she had in fact attempted or intended to make the attempt to overthrow the constitution?

Mr. McCANDLESS. Yes; on the 14th of January I was walking up Fort street and I met Mr. Hopper, a gentleman who has a large rice mill in the Hawaiian Islands and lives just adjoining the palace grounds. He said, "The Queen is up there attempting to promulgate a new constitution." I laughed at it, because she had won everything, and had appointed her own ministers and had control of everything for a year and a half.

The CHAIRMAN. And had passed the opium bill?

Mr. McCANDLESS. Had passed the opium and lottery bills, and the ministry would do her bidding.

The CHAIRMAN. And you thought that was all she would do?

Mr. McCANDLESS. I thought that was enough for her to do. He said, "You go into Spreckels' bank, and you will find out." I went into Mr. Spreckels' bank, to Mr. Spalding, and I said, "I understand that the Queen is giving us a new constitution." He said, "It is so; I have just come from there." I walked up to the corner of Fort and Merchant streets—that is probably the business center of Honolulu—and the people began to congregate immediately. In a little while the information began to come down from the palace, which was about three blocks from there, of how matters were progressing there. Finally

the crowd grew to several hundred—of course this was all white people's business—and probably about 2 o'clock, or half past 2 o'clock, the information came down from the ministers to know what support they could get as against the Queen.

The CHAIRMAN. Who brought that information?

Mr. MCCANDLESS. I could not say; It was sent down by messenger.

The CHAIRMAN. Sent to whom?

Mr. MCCANDLESS. Just down town. They knew who the business men were and where they would be likely to be.

The CHAIRMAN. What did you say was the nature of the message which had been sent?

Mr. MCCANDLESS. To know what support the ministers could get from the white people as against the Queen. They went into the office——

The CHAIRMAN. Let me understand whether it was the common understanding of the crowd there that the ministers had made such a suggestion or such a request?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Then they went into the office?

Mr. MCCANDLESS. Went into the office of W. O. Smith. Someone took a piece of office paper, brown paper such as lawyers use, the size of a sheet of legal cap, and then wrote a heading in lead pencil stating that, "We hereby agree to stand by the ministers against the encroachments of the Queen"—something to that effect. It was only a line or two, and the people as they came in signed that.

The CHAIRMAN. About how many?

Mr. MCCANDLESS. There may not have been more than a hundred. That included most of the lawyers there. Paul Neumann——

The CHAIRMAN. Paul Neumann?

Mr. MCCANDLESS. Yes; and Mr. Cecil Brown, an Englishman, who was very much wrought up over the matter. There was scarcely anyone who entered the office, and whom I knew, but signed the paper.

The CHAIRMAN. Do you remember any person who refused to sign it?

Mr. MCCANDLESS. I do not.

The CHAIRMAN. Do you think there were as many as a hundred signatures to the paper?

Mr. MCCANDLESS. I should judge so.

The CHAIRMAN. What was done with that paper?

Mr. MCCANDLESS. I do not know.

The CHAIRMAN. Do you know who took charge of it?

Mr. MCCANDLESS. It was left on that desk. It was certainly there the next day. In fact, it was there Monday. Of course, the information kept coming down right along, and finally some of the ministers came down.

The CHAIRMAN. As I understand you, that was an enrollment of the citizens who were with these ministers in their antagonism to the Queen?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Well?

Mr. MCCANDLESS. About 2 o'clock in the afternoon two of the ministers came down.

The CHAIRMAN. What day?

Mr. MCCANDLESS. The same day, within an hour.

The CHAIRMAN. Do you mean Saturday or Monday?

Mr. MCCANDLESS. Saturday.

Senator GRAY. Name the ministers.

Mr. McCANDLESS. Colburn and Peterson.

The CHAIRMAN. They came to Smith's office?

Mr. McCANDLESS. Came down to Smith's office. By this time there were probably 700 or 800 people around there. Of course, there is a very complete system of telephone, and the news was telephoned all over the city. Mr. Colburn came in and someone said, "Make us a speech," and he said, "Do you want a speech?" and they said, "Yes; tell us the story." Mr. Colburn proceeded and told the story.

The CHAIRMAN. What position did he hold in Liliuokalani's cabinet at the time?

Mr. McCANDLESS. Minister of the interior. They said: "Tell us the story." He said he had information that morning that the Queen intended to promulgate the new constitution. He said that he immediately carried the news to Judge Hartwell and Mr. Thurston. They had been political enemies, of course, and they had advised the ministers to resist—that is, to refuse to countersign the new constitution, and to do all they could with her to keep her from signing the new constitution. After the Legislature had been prorogued they proceeded to the palace, right across the street, and there she made the speech (which of course is a matter of history) to the effect that she proposed to give the people a new constitution. She asked the ministers to countersign it, and they refused to do so. Mr. Colburn told the story of her becoming very angry, and Mr. Peterson made the remark that the constitution was faulty in some respects, whereupon she replied: "You have had it in your posession for a month and you returned it without any comment, and I took it that it was all right."

The CHAIRMAN. That is what Mr. Colburn told the crowd?

Mr. McCANDLESS. That is the speech that Mr. Colburn made to the crowd.

The CHAIRMAN. Well?

Mr. McCANDLESS. He stated that they had escaped from there and thought that their lives were in danger; that she had sent for them again, and that at this time she had concluded not to promulgate the new constitution.

Senator BUTLER. Have you any information as to who it was prepared that constitution for the Queen?

Mr. McCANDLESS. All the information is that she prepared it herself. It is a constitution taken from the constitution of Kamehameha V and some extracts from the constitution of 1887. We got information from Mr. Colburn and, probably, from Chief Justice Judd, who read it, and he noted some changes.

Senator BUTLER. You say it was claimed that she prepared that constitution herself?

Mr. McCANDLESS. That is what she claimed since.

Senator BUTLER. Is she capable of writing such a constitution?

Mr. McCANDLESS. She took the constitution of '87 and the constitution of Kamehameha V and prepared it. The constitution of 1887 is very much like the constitution of Kamehameha V, with some vital changes. We compared them.

The CHAIRMAN. I want to know what Mr. Colburn said to that crowd, and all that he said, as you remember it. I think where you paused in answer to the question of Senator Butler you were proceeding to state that Mr. Colburn had said that the Queen had retracted her purpose of promulgating that constitution.

Mr. McCANDLESS. For the time being.

The CHAIRMAN. Is that the way he stated it?

Mr. McCANDLESS. I think so.

The CHAIRMAN. Go on.

Mr. McCANDLESS. In regard to Mr. Colburn. "Now," said he, "gentlemen, we want to know what support we can get as against the Queen, because she is apt to do this at any time."

The CHAIRMAN. That was in this public speech?

Mr. McCANDLESS. That was in the public speech he was making. He said that the only reason she had desisted was that she was unable to get them to sign the constitution. She got it into her head that it would not be legal unless countersigned by the cabinet, and if she could get the cabinet to sign she felt that she had a legal constitution.

The CHAIRMAN. Did Colburn state that?

Mr. McCANDLESS. Yes. That was the strange thing. It was said at the meeting that she did not believe that it would be valid without the signatures of the ministers.

The CHAIRMAN. Is that about all that Colburn said?

Mr. McCANDLESS. All that I can remember. Of course, that is the substance.

The CHAIRMAN. Was any action taken by that crowd upon that statement made by Mr. Colburn or in consequence of it or immediately afterward?

Mr. McCANDLESS. Yes.

The CHAIRMAN. What was it?

Mr. McCANDLESS. Immediately someone—I can not say who it was—proposed that we must have a committee of public safety. It was in a room that was packed, a room a little larger than this and an outer room. The two rooms were packed and Mr. Cooper was seated at the desk. The paper was where the ministers were.

The CHAIRMAN. By what number had this paper been signed on Monday?

Mr. McCANDLESS. This was all on Saturday.

The CHAIRMAN. Oh, yes; I beg pardon.

Mr. McCANDLESS. Someone made the motion that there be a committee of safety appointed, and someone said, "Appoint Mr. Cooper chairman of the meeting and we will leave it to the chair to pick them out," and that was unanimously agreed to. It was just informal. There had been no organization before that; and in the presence of Mr. Colburn and Mr. Peterson, Paul Neumann—no, I would not say as to Neumann then; I do not think he was in; he had gone out—the committee of thirteen was picked out, and it was taken from that list of people in the immediate vicinity.

The CHAIRMAN. Who picked them out?

Mr. McCANDLESS. Mr. Cooper; but he was assisted by two or three gentlemen—suggestions made. The committee of thirteen was selected and someone suggested that they be made a committee of safety, and someone said, "Get out of here," and the rooms were immediately cleaned out, and we began to discuss the situation.

The CHAIRMAN. Were you one of the committee?

Mr. McCANDLESS. I was.

The CHAIRMAN. Appointed in that way?

Mr. McCANDLESS. Appointed in that way. I said, "I will carry my gun, but I wish to be excused."

The CHAIRMAN. You were not excused?

Mr. McCANDLESS. No.

The CHAIRMAN. And you went on the committee?

Mr. McCANDLESS. Went on the committee.

The CHAIRMAN. What was the first thing the committee did after organization?

Mr. MCCANDLESS. The first thing? The doors were closed and some one said: "Gentlemen, we are brought face to face with this question. What shall we do?" And there was but one sentiment prevailed: "The Queen has violated the constitution, and we have to carry it to the end; we can not live in this country; we have to resist that or leave the country."

The CHAIRMAN. Whom did you select as chairman of that meeting?

Mr. MCCANDLESS. Mr. Cooper.

The CHAIRMAN. Did you come to any resolution as to what you would do in the way of resisting?

Mr. MCCANDLESS. If you will allow me to go back just a little—a couple of hours.

Senator BUTLER. Did you keep any minutes of your proceedings?

Mr. MCCANDLESS. We did not care to keep any minutes then. We were going in to a ticklish business.

Senator BUTLER. You did not keep any minutes?

Mr. MCCANDLESS. I think there were some slight notes. The hardware stores closed at 1 o'clock; but about half past 2 o'clock they all opened again to deal out ammunition and guns to the people, to those who wanted to buy them. Cecil Brown, who had been in the Wilcox cabinet, come to me and said: "You can get all the ammunition you need, if you have not enough." He said: "I have just got my arms." We began to gather up arms and ammunition. I sent my brother to the country to catch a late afternoon train and bring up his arms and ammunition. He had a cattle ranch about 7 miles from town. He went down and returned to town about 7 o'clock with his gun and ammunition. So we began as early as that to prepare to resist; the conclusion was arrived at—of course, it did not come off immediately—at that meeting. It was half past 4 or 5 o'clock when the committee of safety was appointed, and we appointed a committee to see what arms we could get. We discussed the situation and decided that we would go right on now, if we had the entire support of the white population—that we would go ahead and proceed to organize a provisional government.

The CHAIRMAN. Was there any resolution for the purpose of ascertaining whether you had the support of the population?

Mr. MCCANDLESS. No; and the first meeting was the next morning.

The CHAIRMAN. Sunday morning?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Where did you meet then?

Mr. MCCANDLESS. At W. R. Castle's.

The CHAIRMAN. Was he a member of that committee?

Mr. MCCANDLESS. I am not sure about that; I think he was not.

The CHAIRMAN. He was a friend to the movement at all events?

Mr. MCCANDLESS. Yes. We held the meeting, and one of the first things we decided was to hold a mass meeting and ascertain whether the public of Honolulu was in accord with that sentiment. If it was, we would go ahead and perfect the organization in the meantime as much as possible, and if, at the mass meeting, the whites showed they were anything like they were in 1887, we would proceed with the revolution. The first thing we did at the mass meeting was to send one of the members to a printing office for the purpose of putting out posters immediately.

The CHAIRMAN. When was that called?

Mr. McCANDLESS. At half past 1 Monday, the 16th.

The CHAIRMAN. The meeting was determined on and the posters were ordered printed on Sunday?

Mr. McCANDLESS. Yes; and posted that day.

Senator GRAY. Posted on Sunday?

Mr. McCANDLESS. Yes.

The CHAIRMAN. Did you appoint any committee or take any steps in regard to the number of persons who would go into that meeting, and the extent to which they were to be supplied with arms and ammunition?

Mr. McCANDLESS. I will have to go back of that a little. On Saturday afternoon the old officers of the Honolulu Rifles were there among the first men, and they hunted up the rosters of 1887 and hunted up every man they could find, to see how he was fixed for arms and ammunition.

The CHAIRMAN. Had that organization been dissolved?

Mr. McCANDLESS. It was dissolved in 1890. It consisted of four companies—a battallion. The old officers began to get the men together and hunt up the arms and ammunition. Aside from still continuing to discuss the situation, they came to the conclusion to call a mass meeting. I do not recall anything that we did there of the details, but discussed the situation generally.

The CHAIRMAN. Did you find the movement was a strong one, both to numbers and as to the supply of arms and ammunition?

Mr. McCANDLESS. We found arms and ammunition enough.

The CHAIRMAN. How about the men?

Mr. McCANDLESS. That was the question—could we get the men. That was still in the hands of the officers of the different companies that had been organized in 1887 and disbanded in 1890, and they were working on that right straight along.

The CHAIRMAN. A sort of recruiting service?

Mr. McCANDLESS. Just a recruiting service that was started before the committee of safety was organized.

The CHAIRMAN. When did you become satisfied that you had enough of military strength, consisting of soldiers, arms, and ammunition, to warrant you in starting on the work of revolutionizing the Government?

Mr. McCANDLESS. We were satisfied of that on Monday morning from the reports of the officers of the different companies, and we were satisfied in this way; almost every man we went to said, "What is this for; annexation, or is this a repetition of 1887?" That would be the first question asked us, or asked anyone who was recruiting or talking on the subject. We said, "Of course, there is but one answer to it—provisional government, annexation, and wipe the monarchy out;" and they said they would be with us. Many of us were there in 1887 and took the same stand.

The CHAIRMAN. Now, at what time did you first see the proclamation of Liliuokalani after she had receded from her purpose of establishing this new constitution?

Mr. McCANDLESS. That was about 10 o'clock Monday morning, I think. No; I beg pardon; I saw that in the Government building; I saw that about 9 o'clock.

Senator GRAY. Saw what?

Mr. McCANDLESS. That she would not attempt to promulgate the new constitution.

Senator DAVIS. Was it signed?

Mr. McCANDLESS. It was signed. I saw the document. That would be another story. I had business at the foreign office about 9 o'clock

where all four of the ministers were present, and they showed us the original document signed by Liliuokalani and the ministers.

The CHAIRMAN. The four ministers of whom?

Mr. MCCANDLESS. The ministers of Liliuokalani.

The CHAIRMAN. Was that proclamation scattered around the city?

Mr. MCCANDLESS. Yes; broadcast.

The CHAIRMAN. Printed?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. It was by authority, then?

Mr. MCCANDLESS. Yes; by authority.

The CHAIRMAN. It was a paper printed, called "by authority"?

Mr. MCCANDLESS. That is what they put at the head.

The CHAIRMAN. To indicate its official character?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Notwithstanding that proclamation, your mass-meeting was held when?

Mr. MCCANDLESS. About half past 1.

The CHAIRMAN. What members assembled?

Mr. MCCANDLESS. Just similar to the mass meeting in 1887. There was not a business house in Honolulu that was not closed. All the business houses closed up and the heads of the firms came to the meeting; all factories stopped, all machine shops, all business stopped just as in 1887. There were some events that transpired on Monday morning, the 16th, before the mass meeting. Had we better finish those up?

The CHAIRMAN. Yes.

Mr. MCCANDLESS. We met first——

The CHAIRMAN. You mean the committee?

Mr. MCCANDLESS. On Monday morning the committee of safety met in Mr. Thurston's office. Just as I was going in Marshal Wilson came out of the room with Mr. Thurston. He took him into his private office, and they stayed there some minutes, and Mr. Thurston came back and reported what the conversation was between them. The report in regard to that was that Marshal Wilson said to Mr. Thurston, "Can't this thing be stopped?"

Senator GRAY. What did he mean; the meeting?

Mr. MCCANDLESS. The movement; the revolution.

Senator GRAY. Are you sure he meant the movement, or the meeting?

Mr. MCCANDLESS. I will state the whole thing and you will see he meant the movement. Thurston said, "I do not think it can." Marshal Wilson said, "Well, I will guarantee that she won't do that any more; if she attempts it I will lock her up before she can attempt anything again." Mr. Thurston said, "We can't stop on any such guarantee as that; it has gone too far now; we can't stop it." That is the substance of Mr. Thurston's statement to the committee of safety as to what occurred at his interview with Marshal Wilson. Of course, I can not give you the exact words now. Then there was a committee of three appointed from the committee of safety to go up and confer with the ministers. They had requested it in writing, the day before, in a letter to Mr. Thurston. They asked for a conference with the committee of safety, and William Wilder, F. W. McChesney, and myself constituted that committee. We were instructed to go and hear what they had to say, and say nothing. We went up to the Government building and the foreign office. They were all there. We were ushered in, and they were on the other side of the room. We were opposite to them. Finally there was a pause—one of the ministers said, "What is it, gentlemen?" And we said, "We have come up here to see you on

account of the appointment you asked of Mr. Thurston." One of the ministers said, "We have decided that there is nothing to say, just now; the Queen has just signed a paper that she will not commit an act of this kind again, and agreed to abide by the constitution."

Senator GRAY. That was Monday morning?

Mr. MCCANDLESS. Monday morning. Of course, we had nothing to say. McChesney said, "What is this mass meeting of yours?" They had gotten out posters late Sunday night.

The CHAIRMAN. To whom did he address that question?

Mr. MCCANDLESS. To the cabinet.

The CHAIRMAN. Name them.

Mr. MCCANDLESS. Colburn, Peterson, Parker, and Cornwall.

The CHAIRMAN. They were all present?

Mr. MCCANDLESS. All present—all four of them. They had gotten out posters calling a mass meeting of the people in Palace Square. McChesney said, "What did you call that meeting for?" Parker said, "To draw the crowd away from your meeting." That, I think, ended the interview. I do not remember anything else being said.

The CHAIRMAN. Was that a formal visit of the committee of safety to the Queen's cabinet?

Mr. MCCANDLESS. That was a formal visit of a committee of the committee of safety to the cabinet.

The CHAIRMAN. Where did it occur?

Mr. MCCANDLESS. In the foreign office of the Government building.

Senator GRAY. Two members of the cabinet had been before the committee, and said they did not agree with the new constitution, and were at outs with the Queen. That is so?

Mr. MCCANDLESS. That is so—down at the public meeting. But there was at that time, as we afterward ascertained—did not know it then—a proclamation drawn up by the ministers, and it was even signed—I think drawn up and in their possession ready to be proclaimed at any time—declaring the Queen deposed and reorganizing the Government. This letter from the cabinet to Thurston, asking for the conference, was in regard to the ministers taking charge of the Government and deposing the Queen entirely, and their entering into the movement with us, we supporting them.

Senator GRAY. The first movement was largely initiated by the support of these recalcitrant ministers of the Queen?

Mr. MCCANDLESS. I will put it the other way—they were the ones who initiated——

Senator GRAY. I say the movement was initiated in support of the recalcitrant ministers against the Queen's proposition to proclaim a new constitution?

The CHAIRMAN. At their request.

Mr. MCCANDLESS. Yes; at their request.

The CHAIRMAN. You spoke of a proclamation drawn up and ready to be signed, or had been signed. What proclamation was that?

Mr. MCCANDLESS. That was the proclamation drawn up on Saturday afternoon.

The CHAIRMAN. By whom?

Mr. MCCANDLESS. I think by Judge Hartwell and Thurston, and probably W. O. Smith and the cabinet.

The CHAIRMAN. What cabinet?

Mr. MCCANDLESS. Peterson, Colburn, Parker, and Cornwall.

The CHAIRMAN. What was included in that proclamation?

Mr. McCANDLESS. Just declaring that the Queen had violated the constitution, and declaring the throne vacant.

The CHAIRMAN. Do you say that paper was signed by anybody?

Mr. McCANDLESS. I understand it was signed by the ministers and ready to be proclaimed if the Queen resisted any further.

The CHAIRMAN. It was intended that, if the Queen insisted in going on with her revolutionary projects, the ministers would unite with Thurston and others in issuing a proclamation declaring the throne vacant?

Mr. McCANDLESS. Deposing—declaring the throne vacant. I think that it is rather a mistake; it would be deposing her and wiping the government out of existence as a monarchy. It was together with a movement for annexation.

The CHAIRMAN. Why was not that proclamation issued?

Mr. McCANDLESS. I will go back to Saturday afternoon at, say, half past 2 o'clock, when Mr. Neumann was present in W. O. Smith's office. The people began to gather in and get the information of the Queen's attempt to promulgate the new constitution. Then came the cry, "Now is the time to get rid of the whole thing." Neumann said, "Well, I don't know that I would go as far as that." I remember distinctly hearing Neumann make that remark.

Senator GRAY. So far as what?

Mr. McCANDLESS. Wiping out the whole monarchy. And on Saturday night—you must remember now that up to half past 1 Saturday afternoon the ministers and the element that promised support were political rivals, political opponents——

Senator GRAY. You mean Saturday?

Mr. McCANDLESS. Yes. The ministers on Sunday night had a meeting and came to the understanding that, as the Queen had receded from the position she had taken, their best plan was to try to stop this revolution if they could, at least throw cold water on it, and they still continue as ministers of the Queen.

The CHAIRMAN. You are now speaking of the Queen's ministers?

Mr. McCANDLESS. Yes. On Sunday they were in communication with the committee of safety in regard to the next move, the proper move to make to stop the Queen in her mad career and to turn over the Government entirely. There were two communications on Sunday requesting a conference with the committee of safety, the time set being Monday morning at 9 o'clock.

The CHAIRMAN. Two communications to whom?

Mr. McCANDLESS. From the ministers to the committee of safety; and it was for that reason that this committee was appointed that went up to the Government building to wait on the cabinet.

The CHAIRMAN. We are trying to find out why that proclamation, which you say was drawn, and which you say was signed by the ministers, was not issued.

Mr. McCANDLESS. Simply because this element that had backed the Queen, had been her supporters from the time she had been on the throne, was against the white element of Honolulu. They had not been political friends, and if there was any way in which they could get out of it they would do it.

The CHAIRMAN. Is it your idea that they were then experimenting to see whether the safe side for them to take was the side of the monarchy or the side of the revolution?

Mr. McCANDLESS. Yes; that was the way it was Sunday; and the best information we had was that at their meeting Sunday, at which

Macfarlane, Joe Carter, and Paul Neumann were present, they decided that their safest place was to go back on the side of the monarchy. Therefore, when the meeting took place Monday morning they had not anything to say. They had this proclamation of the Queen ready and showed us the original copy.

The CHAIRMAN. As I gather from your statement, your idea is that they had become convinced between Saturday and Monday that their personal interests lay in the direction of maintaining this Queen on the throne, and that they were attempting to get and did get from her a declaration that she would carry out the constitution of '87?

Mr. MCCANDLESS. Yes; and would not attempt to promulgate the new constitution again.

The CHAIRMAN. That was their attitude as you understood it?

Mr. MCCANDLESS. That was their attitude as I understood it.

The CHAIRMAN. Do you think you can be mistaken about that?

Mr. MCCANDLESS. I do not think I was. They met Saturday, asked for aid; we got together, gathered up arms and got recruits to support them, and by Monday morning they had issued this proclamation and posted notices for a counter mass meeting.

The CHAIRMAN. And that was after they had given their assent to the proclamation dethroning the Queen and abolishing the monarchy?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. You do not know whether it was signed?

Mr. MCCANDLESS. If I understood correctly, it was signed.

The CHAIRMAN. As I understand, the whole cabinet, with these two ministers, had given their assent to that?

Mr. MCCANDLESS. The whole cabinet had given their assent to that programme on Saturday afternoon. They were completely demoralized, because their lives were in danger.

Senator FRYE. You said there were two or three things that you thought were important, and those you stated. Then you got down to the meetings on Monday morning. Now, go back.

The CHAIRMAN. I asked you what was done at the mass meeting held by the opponents of the Queen?

Mr. MCCANDLESS. All the business houses were shut up, and the whole white population of Honolulu came to the mass meeting.

The CHAIRMAN. Do you mean the male population?

Mr. MCCANDLESS. The male population; the women did not go, because they were in a terrible state at home.

The CHAIRMAN. State of apprehension?

Mr. MCCANDLESS. State of apprehension; because before this we had rumors that the half whites proposed to burn the town.

The CHAIRMAN. What numbers met there?

Mr. MCCANDLESS. I should judge from 1,000 to 1,200.

The CHAIRMAN. Were there any armed persons in the crowd?

Mr. MCCANDLESS. No; I do not think there were, unless individuals with concealed arms.

The CHAIRMAN. Were the persons there in the habit of carrying concealed arms about them?

Mr. MCCANDLESS. No.

The CHAIRMAN. On that occasion did you know that they were with arms concealed about their persons?

Mr. MCCANDLESS. No; I do not recollect any one at the meeting.

The CHAIRMAN. Did they elect a chairman?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Who was it?

Mr. McCANDLESS. William C. Wilder.

The CHAIRMAN. Were speeches made?

Mr. McCANDLESS. Yes.

The CHAIRMAN. By whom?

Mr. McCANDLESS. I do not know that I can give you the names; I have them here in this little pamphlet.

The CHAIRMAN. Have you an account of the proceedings of that meeting?

Mr. McCANDLESS. Yes; I have a complete account here: "Two weeks of Hawaiian history, from January 14 to the 28th." One of the printing houses printed that. I have read it, and it is a very correct statement.

The CHAIRMAN. Are there any statements in that history that you object to as being untrue?

Mr. McCANDLESS. I do not remember any. I have read it over several times.

The CHAIRMAN. The facts stated in that history came under your personal observation generally?

Mr. McCANDLESS. Yes; as a general statement.

The CHAIRMAN. Are you willing to submit this as your statement of the facts that occurred during that time?

Mr. McCANDLESS. I should not like do that now, without reading it over very carefully.

The CHAIRMAN. Were any resolutions adopted at that meeting?

Mr. McCANDLESS. Yes.

The CHAIRMAN. What were they?

Mr. McCANDLESS. I can give them to you word for word out of that book.

The CHAIRMAN. Just read them.

Mr. McCANDLESS. The resolutions are as follows:

"1. Whereas Her Majesty, Liliuokalani, acting in conjunction with certain other persons, has illegally and unconstitutionally, and against the advice and consent of the lawful executive officers of the Government, attempted to abrogate the existing constitution and proclaim a new one in subversion of the rights of the people;

"2. And whereas such attempt has been accompanied by threats of violence and bloodshed and a display of armed force; and such attempt and acts and threats are revolutionary and treasonable in character;

"3. And whereas Her Majesty's cabinet have informed her that such contemplated action was unlawful, and would lead to bloodshed and riot, and have implored and demanded of her to desist from and renounce such proposed action;

"4. And whereas such advice has been in vain, and Her Majesty has in a public speech announced that she was desirous and ready to promulgate such constitution, the same being now ready for such purpose, and that the only reason why it was not now promulgated was because she had met with unexpected obstacles, and that a fitting opportunity in the future must be awaited for the consummation of such object, which would be within a few days;

"5. And whereas at a public meeting of citizens, held in Honolulu on the 14th day of January, instant, a committee of thirteen, to be known as the 'committee of public safety,' was appointed to consider the situation, and to devise ways and means for the maintenance of the public peace and safety, and the preservation of life and property;

"6. And whereas such committee has recommended the calling of this mass meeting of citizens to protest against and condemn such

action, and has this day presented a report to such meeting, denouncing the action of the Queen and her supporters as being unlawful, unwarranted, in derogation of the rights of the people, endangering the peace of the community, and tending to excite riot, and cause the loss of life and destruction of property:

"Now, therefore, we, the citizens of Honolulu, of all nationalities, and regardless of political party affiliations, do hereby condemn and denounce the action of the Queen and her supporters;

"And we do hereby ratify the appointment and indorse the action taken and report made by the said committee of safety; and we do hereby further empower such committee to further consider the situation and further devise such ways and means as may be necessary to secure the permanent maintenance of law and order, and the protection of life, liberty, and property in Hawaii."

The CHAIRMAN. Was that resolution adopted by the meeting?

Mr. MCCANDLESS. It was, unanimously.

The CHAIRMAN. Was there much enthusiasm exhibited on that occasion?

Mr. MCCANDLESS. A good deal. The speakers had all been instructed to be as moderate as possible, and every speaker—whenever there was any allusion to the intentions of the people, they just went wild.

The CHAIRMAN. At the time that meeting was being held another meeting was being held, as I understand, by the supporters of the Queen?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. What distance was there between the places of the meetings?

Mr. MCCANDLESS. Less than half a mile—third of a mile.

The CHAIRMAN. Did you visit the meeting in the palace grounds?

Mr. MCCANDLESS. Palace Square.

The CHAIRMAN. Yes; Palace Square.

Mr. MCCANDLESS. No; I did not.

The CHAIRMAN. After your meeting dispersed, the meeting of the opponents of the Queen, did the committee of safety reassemble?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. Where did you meet?

Mr. MCCANDLESS. At W. O. Smith's office.

The CHAIRMAN. What steps did you take, if any, to carry out the resolutions which you have just read?

Mr. MCCANDLESS. We knew we had the support of the whole white population in the movement on foot. In the morning, at the morning meeting, before this mass meeting, we had drawn up a paper and asked the American minister to land troops to protect life and property.

Senator GRAY. When was that?

Mr. MCCANDLESS. The Monday morning meeting.

The CHAIRMAN. Was that request communicated to the minister before the mass meeting was held?

Mr. MCCANDLESS. I believe so.

The CHAIRMAN. Do you know who communicated it to him?

Mr. MCCANDLESS. No; I could not state. After the mass meeting the information was that the troops were to be landed at 5 o'clock. There was a division in the committee as to whether it was wise for the troops to land then or not. Those who were thinking of their property and their families, and the families of the whole white com-

munity, were anxious that the troops should land on account of a fear that the city might be burned and looted, and knowing that the troops were ashore nothing of that kind would take place. On the other hand, there were other members of the committee who felt that if the troops came ashore it would make a changed condition, and we did not know just what the result would be.

The CHAIRMAN. Were they apprehensive that if the troops came ashore they would support the Queen, or what were they apprehensive about?

Mr. MCCANDLESS. We were absolutely ignorant on that point.

The CHAIRMAN. What was the apprehension with regard to the landing of the troops?

Mr. MCCANDLESS. We were making such rapid progress with our organization, and the other people so completely cowed, we thought probably it would precipitate a crisis so soon as the troops came ashore, and in a day or two we would be better prepared to resist it than then, and it was between those two ideas the committee was divided.

The CHAIRMAN. By precipitating a crisis did you think the troops would attack you?

Senator FRYE. The Queen's troops, encouraged by the United States troops?

Mr. MCCANDLESS. Yes. We did not know anything about that.

Senator GRAY. Was anything said in your meeting on Saturday, after your committee of safety was formed and you had cleared the room, about Mr. Stevens and the United States ship *Boston*?

Mr. MCCANDLESS. Yes; we talked that over.

Senator GRAY. So soon as your committee was formed?

Mr. MCCANDLESS. Well, its was during the conversation.

The CHAIRMAN. On Saturday?

Senator GRAY. Yes. Was anything said about the attitude of Mr. Stevens?

Mr. MCCANDLESS. It was talked of—what his attitude would be.

Senator GRAY. Was anybody deputed to go and see him?

Mr. MCCANDLESS. Yes; I think there was a committee of one or two appointed on Saturday afternoon to have a talk with him, to ascertain what his attitude would be in the then crisis.

Senator GRAY. Did that committee report?

Mr. MCCANDLESS. The report was that there was no information; that he was entirely noncommittal.

Senator GRAY. Who said that?

Mr. MCCANDLESS. Mr. Thurston, I believe.

Senator GRAY. But said he would protect life and property?

Mr. MCCANDLESS. Yes.

Senator GRAY. He did not say he was noncommittal?

Mr. MCCANDLESS. Well, he was noncommittal as to contending forces; but would protect life and property.

Senator GRAY. Was anything said by them that conveyed the idea to you that Mr. Stevens was hostile or indifferent to the movement of the committee of safety, or was without sympathy for it?

Mr. MCCANDLESS. I think not.

Senator GRAY. Anything at all?

Mr. MCCANDLESS. I think we felt this way, that without any encouragement from him we certainly had the sympathy of the American minister.

Senator GRAY. That was the general feeling, was it not?

Mr. McCANDLESS. Yes.

Senator FRYE. A committee was sent to Minister Stevens to request him not to land the troops then?

Mr. McCANDLESS. Yes; we did not feel certain that night, and thought we would get our strength better in a day or two.

Senator GRAY. That the landing of the troops might bring on a crisis?

Mr. McCANDLESS. Yes.

Senator GRAY. If you were not as well prepared as you thought you would be later?

Mr. McCANDLESS. No, sir.

The CHAIRMAN. Was there a request sent to Mr. Stevens not to land the troops?

Mr. McCANDLESS. Yes.

The CHAIRMAN. Who composed that committee?

Mr. McCANDLESS. Mr. Thurston and W. O. Smith.

The CHAIRMAN. Did they report to the committee of safety?

Mr. McCANDLESS. They did.

The CHAIRMAN. What was the report?

Mr. McCANDLESS. The report was that Mr. Stevens said, owing to the unsettled state of affairs he was going to land troops.

Senator FRYE. He would not change his purpose?

Mr. McCANDLESS. No.

Senator GRAY. You had previously asked Mr. Stevens to request the landing of the troops?

Mr. McCANDLESS. Yes.

The CHAIRMAN. Had any troops landed at the time he announced his intention to have them landed notwithstanding your request?

Mr. McCANDLESS. No.

The CHAIRMAN. What time Monday afternoon was that?

Mr. McCANDLESS. At the time of the meeting?

The CHAIRMAN. No; the time you got this report?

Mr. McCANDLESS. Probably a quarter to 5, from half-past 4 to quarter of 5.

The CHAIRMAN. How long after this report was made of Mr. Stevens's refusal to prevent the landing of the troops before they were actually landed?

Mr. McCANDLESS. I do not think it was over a half hour, perhaps three-quarters.

The CHAIRMAN. They must have been on their way to the shore at that time?

Mr. McCANDLESS. I presume they were. I did not know.

The CHAIRMAN. Did the committee of safety, acting under the resolutions of which you have spoken, prepare any programme for the organization of the civil government?

Mr. McCANDLESS. Yes. We began that. That was discussed hurriedly Saturday evening. It was more in detail on Sunday morning; but by Monday morning we had the plan completed.

The CHAIRMAN. Projected?

Mr. McCANDLESS. Yes.

The CHAIRMAN. After you got the indorsement of the mass meeting you proceeded to execute the programme which you had already agreed upon?

Mr. McCANDLESS. Yes.

Senator GRAY. Were you at the meeting at Mr. Castle's on Sunday morning?

Mr. McCANDLESS. I was.

Senator GRAY. By which was appointed the committee that waited on Minister Stevens and reported?

Mr. McCANDLESS. Yes.

Senator GRAY. Who reported, Mr. Thurston?

Mr. McCANDLESS. I think it was Mr. Thurston and Mr. Smith. They were the gentlemen who were appointed first.

Senator GRAY. Do you recollect what they reported then at that meeting?

Mr. McCANDLESS. Of course, they went to see what would be the probable attitude of the American minister in the case of our uprising.

Senator GRAY. What did they report?

Mr. McCANDLESS. They reported that Mr. Stevens, in regard to that point, was noncommittal.

Senator GRAY. Did he not say he would land the troops at any moment to protect life and property?

Mr. McCANDLESS. He did.

Senator GRAY. Did he not say that he would recognize the Provisional Government or whatever government it might be?

Mr. McCANDLESS. I think there was a report of that kind.

Senator GRAY. That Stevens would recognize the Provisional Government when established?

Mr. McCANDLESS. When there was any in existence.

Senator GRAY. When it was in existence?

Mr. McCANDLESS. Yes.

The CHAIRMAN. Did the committee of safety select the officers of the Provisional Government?

Mr. McCANDLESS. They did.

The CHAIRMAN. And selected Mr. Dole as President?

Mr. McCANDLESS. Yes. I will tell the story of that. All that happened at the meeting at Mr. Waterhouse's——

Senator GRAY. Monday evening?

Mr. McCANDLESS. Monday evening. We were there until, perhaps, 11 or 12 o'clock.

The CHAIRMAN. What took place at the meeting at Mr. Waterhouse's house?

Mr. McCANDLESS. At that meeting when we proceeded to appoint the members of the advisory council and the members of the executive council, we sent a committee of one, Mr. Bolte, to Judge Dole asking him if he would take the position of president of the Provisional Government. Mr. Dole, at that time Judge Dole, knew no more of the workings of the committee of safety than any other outsider, and Judge Dole gave Mr. Bolte no encouragement at all. But finally, after entreaties on the part of Mr. Bolte, he came and said he did not care about that at first; finally he said he would come to the meeting. Judge Dole came to the meeting, and of course we stated to him at the meeting that we desired him to become president of the Provisional Government which we were about to inaugurate. At first he declined entirely; that is, at first, he could not see his way clear. He finally made the statement, after talking quite a while, that he had not arrived at the conclusion yet that that was the only solution of the matter—that is, a provisional government looking to annexation. Then he was asked what his opinion was. He said, my opinion is—of course Liliuokalani is out of the question; she has started this revolution, and can not be trusted any longer—my opinion is that Kaiulani would be best for us; to have Kaiulani on the throne with a regency until she is of age.

That was Judge Dole's statement to the meeting on Monday evening at 8 o'clock. That was argued with him, and finally before he left he agreed to take it under advisement and consult with his friends and let the committee know the next day.

Senator GRAY. That was at Mr. Waterhouse's house Monday evening?

Mr. MCCANDLESS. Yes.

Senator GRAY. Was anything said about Mr. Stevens then?

Mr. MCCANDLESS. I think so.

Senator GRAY. Were the United States troops mentioned?

Mr. MCCANDLESS. We talked over everything.

Senator GRAY. The attitude of the United States minister and the landing of the troops were talked over?

Mr. MCCANDLESS. We had a good deal of business on hand.

Senator GRAY. You say you talked over everything, and that was talked over?

Mr. MCCANDLESS. Yes.

Senator GRAY. Was any committee sent to Minister Stevens that evening?

Mr. MCCANDLESS. Not that I remember. No committee—I do not think there was. We also invited Mr. Cecil Brown there. Mr. Cecil Brown is an Englishman and has quite a large following there. We wanted him very much to be one of the new government, and, of course, he came there. The whole plan was laid before him, the intentions of the committee and the appointment of the Provisional Government, including the application for annexation to the United States. Mr. Wundenburg and I individually talked to Mr. Brown, perhaps a half hour, to convince him that he should see it in our light and come over and be one of the supporters. We retired from the room, went out on the veranda, and continued our entreaties with him to try to get him to come in the government, and, of course, we laid the whole matter before him. Finally he said to us, "Let me alone." Said he, "I will solve this for myself." He said, "If I decide not to become part of the government no one living will know that I was here," and after staying out there, probably an hour, he retired, and could not see his way clear to coming in there. Afterwards he became a member of the advisory council. As I stated, Judge Dole took it under consideration and went home. I think we selected most of the names of the Provisional Government. They had been selected up to that time. The first idea was to have 4 ministers and a President, but in picking out 5 men that we thought could agree, we found difficulties. In fact, we consulted Judge Dole in regard to that. So that we finally gave up the idea of 5, and came to the conclusion that we could find 4 men who could work very harmoniously in the government.

Senator GRAY. Had Minister Stevens been advised of the project for a Provisional Government and annexation to the United States?

Mr. MCCANDLESS. I do not know.

Senator GRAY. Do you know whether it was understood there that he knew what was going on?

Mr. MCCANDLESS. Well, everybody knew it.

Senator GRAY. Did you not understand that he knew it; was not that your opinion?

Mr. MCCANDLESS. It would be my opinion that he would know.

Senator GRAY. Do you not know now, and did you not know then, that he did understand it?

Mr. MCCANDLESS. No; I do not know it.

Senator GRAY. It was not talked about?

Mr. MCCANDLESS. Oh, it was discussed, certainly.

Senator GRAY. In what respect was it discussed?

Mr. MCCANDLESS. It was discussed in respect to what would be the attitude of the American minister.

Senator GRAY. Was it thought his attitude would be sympathetic or unsympathetic?

Mr. MCCANDLESS. There were doubts about that.

Senator GRAY. Were there any doubts that Mr. Stevens sympathized with the movement.

Mr. MCCANDLESS. Yes.

Senator GRAY. Did you doubt it?

Mr. MCCANDLESS. It was doubted that much that we requested him, after we requested the troops to be landed, not to have them landed, for fear it would precipitate a crisis.

Senator GRAY. Had you any doubt at that time in regard to Mr. Stevens's sympathies with this movement?

Mr. MCCANDLESS. I do not think there was any serious doubt in my mind about it, although I was one of the members who took the side that we would stand a better show on Monday afternoon not to have the troops landed.

Senator GRAY. When did you want them landed?

Mr. MCCANDLESS. Well, I thought we had better be let alone. The idea prevailed that they had better be let alone, and when the crisis came he would land them himself.

Senator GRAY. Then it was your idea it would be better not to have them landed? I see it stated here that the proposition of the committee was that they should be landed the next morning at 9 or 10 o'clock. When did you think they should be landed?

Mr. MCCANDLESS. I do not think there was a time stated. We thought it was better to let them stay there because the crisis would be precipitated.

Senator DANIEL. What were you afraid of in that crisis?

Mr. MCCANDLESS. The Queen's forces.

Senator DANIEL. That they would suppress the revolution?

Mr. MCCANDLESS. Yes; might attempt it.

Senator DANIEL. Do you think they could do it?

Mr. MCCANDLESS. I do not think so.

Senator DANIEL. Did you then think so?

Mr. MCCANDLESS. We did not think so Monday morning. Minister Thurston defied Marshal Wilson in his interview with him.

Senator FRYE. But as I understand you the uncertainty was as to what effect the landing of the troops would have; whether it would encourage the Queen's troops?

Mr. MCCANDLESS. We did not know what effect it would have—encouragement or otherwise.

Senator FRYE. The landing of the troops the last time had put Kalakaua on the throne, had it not?

Mr. MCCANDLESS. Of course in 1889 the movement was an intrigue that both Kalakaua and Mrs. Dominis were in, and they were taken by complete surprise.

Senator FRYE. The troops had the aid of the King, the existing Government?

Mr. MCCANDLESS. I can not say as to that.

Senator FRYE. He remained on the throne, did he not?

Mr. MCCANDLESS. That movement in 1889 was not to put him on the throne; he was on the throne.

Senator GRAY. Had you not heard before the meeting on Monday evening, if not at that meeting, that Minister Stevens would land the troops to protect American life and property, and that he would recognize that Provisional Government so soon as it had possession of the Government building?

Mr. MCCANDLESS. That he would recognize the Provisional Government whenever it was a government.

Senator GRAY. That he would consider the Government—put it that way—when it had possession of the Government building?

Mr. MCCANDLESS. No; I do not think so.

Senator GRAY. What did you understand?

Mr. MCCANDLESS. When we had the upper hand he would recognize us.

Senator GRAY. What did you understand? Did you not suppose during Monday or Tuesday that the presence of the United States troops was the important factor one way or the other? or do you mean to say that you gave no account to it at all?

Mr. MCCANDLESS. I say it had its bearing. It stopped all ideas of riot and bloodshed.

Senator GRAY. Did you not think it stopped all idea of your movement?

Mr. MCCANDLESS. I do not think so. Our movement was weaker Monday morning than Monday evening.

Senator GRAY. Do you not think the landing of the United States troops stopped all idea of the movement?

Mr. MCCANDLESS. On their part?

Senator GRAY. I am not talking from a standpoint one way or the other. It is quite possible from what you say if I had been there I would have been where you were. I am not criticising you. But as a matter of fact, looking at it, state, under the responsibilities you are under as a witness, if you did not believe that the idea of your movement was entirely dissipated by the presence of the United States troops?

Mr. MCCANDLESS. No; I do not think so.

Senator GRAY. You think it would have been precisely as it was if there had been no troops there at that moment of time?

Mr. MCCANDLESS. If you take into consideration the movement of 1887, how we won then, and could have set up a government, and the whites taken by surprise in 1889, yet maintained their supremacy ——

Senator GRAY. You supported the existing government in 1887?

Mr. MCCANDLESS. We did not support them in 1887. Of course, there was a complete overthrow of the monarchy.

Senator GRAY. Did it continue?

Mr. MCCANDLESS. Yes.

Senator FRYE. In view of those facts—you were going on to say?

Mr. MCCANDLESS. In view of those facts we had the same amount of confidence that any man had who had been through the same thing, and there was no reason why we should not win again.

Senator FRYE. You were going on to state how they formed this provisional government. You got the notice to Dole and notice to Cecil Brown and stated that they were awaiting replies.

Mr. MCCANDLESS. Of course Mr. Brown left. We did not expect him to go in after that. And then we began to pick out the members for the advisory council. I think we agreed that night on the executive council—the four ministers—and we selected most of the names for the advisory council. We probably stayed there until 11 or half past 11 o'clock, and then adjourned until the next morning.

Senator FRYE. Was that Monday night?

Mr. MCCANDLESS. That was Monday night. We met the next morning at Mr. Smith's office.

Senator GRAY. That was Tuesday?

Mr. MCCANDLESS. Tuesday morning. By that time we had before us the programme for the Provisional Government, and Mr. Damon had been selected as one of the members of the advisory council. That morning he was at our meeting for the first time, and he made a statement to the committee that he had just come from the palace. He stated his interview with the Queen, and he stated that he said to Her Majesty, "On former occasions you have called on me for advice, and I now come unasked to give you some advice; you can take it or reject it just as you choose." He said, "Heretofore I have defended the monarchy, and thought it was possible to get along with it; but it has got to that point now, after your actions on Saturday, that I have to change my standard, and I have joined the forces who propose to annex these islands to the United States of America;" and he said, "It would be useless for you to resist; if you do there will be bloodshed and a great many killed; you will probably be killed, and we will win in the end, because we are determined to carry this through." She assured him that she would give up.

Senator GRAY. Did he mention to the Queen the presence of the United States troops?

Mr. MCCANDLESS. No; that was the statement made to the then committee of safety.

Senator GRAY. Mr. Damon said he did mention to the Queen the United States troops?

Mr. MCCANDLESS. Of course, I am giving you the substance.

Senator GRAY. Do you know whether he mentioned the fact to her of the presence of the United States troops?

Mr. MCCANDLESS. That may be so; I do not remember.

Senator GRAY. Where did you get this information?

Mr. MCCANDLESS. From Mr. Damon, and Mr. Damon reported it. We were busy on the papers in connection with the Government, and probably about 10 or 11 o'clock I was informed—did not happen to be present—that Judge Dole had come in and announced that he had made up his mind, and had taken the position of president. I was out in the meantime recruiting; had been hunting up men; all around men were waiting for the word to fly to arms, and the time was set for 2 o'clock. It is well known; they knew it just as well as we did. I learned it afterwards that that was the time set for the overturn of the Government. At half past 1 we had finished everything; the proclamation was signed, and all the papers in relation to the Government were signed and delivered. There was nothing to do then but to get to the Government building and take it, and launch the new Government. About that time Judge Dole came to me and said, "McCandless, will you go and get the troops ready; we are ready;" and of course I said, "yes." So I started out. If I had a map I could show just exactly the course I took in getting to the Government building. I started from W. O. Smith's office, at the corner of Fort and Merchant streets. Just as I came out of the door a car was passing that went right past the armory on the corner of Beretania and Punchbowl streets, and of course that was our headquarters. That was where we had agreed upon to rally the troops before starting for the Government building.

When I got to the corner of King and Fort streets the car was pass-

ing. The streets are very narrow at that point; there is only room for a carriage to pass. I heard a policeman's whistle. I ran to the rear end of the car, and found that John Goode had come out of E. O. Hall's with guns and ammunition, and a policeman was trying to stop him. There was a dray that blocked the way, and the policeman was trying to get on the wagon. There is where I cried out to Goode to shoot, and he did. And I hollered for them to shut up their shops and get their guns, and they came right out lively. When I got to Beretania street I saw this first company making for the armory. They had been in the building from 6 o'clock in the morning. It was Ziegler's company, A. They started for the armory all together, with Winchesters and everything. When I got there I jumped off the car, and told them of the shooting of the policeman. They double-quicked to the armory, and Goode with his load of ammunition had gone up that street there, and along there down to the armory. [Indicating on diagram.] By this time our friends were arriving in all directions, coming in there single and double, with arms.

Senator GRAY (indicating on the diagram). Is this a thickly settled part of the city?

Mr. MCCANDLESS. All this is a residence part.

Senator GRAY. Thickly settled?

Mr. MCCANDLESS. Pretty thickly settled, grounds around—all these lots extending here for the next 5 miles, clear to Waikiki. Just as soon as there were enough arrived to take care of what we had collected, the wagonload, the first company was sent to the Government building with Capt. Zeigler. They marched down to this corner into the Government building yard. I stayed there [indicating on the diagram].

Senator GRAY. Which front of the Government building was the proclamation read from?

Mr. MCCANDLESS. On the front steps of the Government building, facing the palace. I stayed there until the third company marched down. I came down with the third company. There were four companies and all the men conveyed the arms to the Government building. When I arrived there they had finished reading the proclamation. This is police headquarters, just a block from where we were, and all through these streets here were full of people—2,000 or 3,000 people in the streets. When that shot was fired the people left and came down town. They thought the war had commenced down there. Some one came to the committee of safety and reported that now was a good opportunity to go up; the streets were entirely bare going to the Government building, and they came out and marched up to the Government building a few minutes earlier than they would have done if there had been no firing of the shot.

Senator FRYE. They got up there before the troops did?

Mr. MCCANDLESS. Yes. On that account the way was all open, and nothing to interfere.

Senator FRYE. How many were there altogether?

Mr. MCCANDLESS. There were 18 altogether. I was one of them.

Senator FRYE. Eighteen of what?

Mr. MCCANDLESS. The committee was composed of 13 members in the first place, and when the men were appointed it was found that there was some good man to come in, and it was increased to 14, and the 4 ministers were put in, which made 18.

Senator FRYE. You went yourself where the military was?

Mr. McCANDLESS. Yes. And I think the other company marched up together.

Senator FRYE. But you did not see them?

Mr. McCANDLESS. I did not see them. I was sent off on other business. That is a statement up to the proclamation. When I got up to the Government building, just as fast as the men came in and the guns came in they were given to the men, and they organized the Provisional Government. They immediately wrote letters to all the foreign ministers there, stating that they had organized a government, and had charge of the public buildings and archives.

Senator FRYE. Did you go into the councils of the Provisional Government, or stay in the military?

Mr. McCANDLESS. I carried my gun up there, and I was sent for, and I went out of the ranks into where the councils were. I know the first gentleman who called there was Maj. Wodehouse, the English minister. When he came in President Dole was sitting at a table about the size of this, at one end of it, and the members of the council around through the room. Mr. Wodehouse came in on that side and came around to President Dole and shook hands. I did not hear what was said; but the statement of President Dole afterwards was that the minister hoped the Government would protect Englishmen—see that the English subject's property was not jeopardized. And the Japanese minister was right behind him. He came in and spoke to President Dole, and did not speak afterwards. Then he and Mr. Wodehouse went out.

Senator FRYE. What time was that?

Mr. McCANDLESS. That was probably 4 o'clock; I think a little later than that Mr. Pringle called; just came in, did not say anything, just looked around and left.

Senator FRYE. When did you send a communication to Mr. Stevens that you had proclaimed your government?

Mr. McCANDLESS. They were all sent together.

Senator FRYE. When you sent the messages to the other ministers?

Mr. McCANDLESS. Yes. That was between 2 and 3 o'clock.

Senator FRYE. When did you get your answer from minister Stevens?

Mr. McCANDLESS. I think it came from him about half-past 4.

Senator FRYE. After the English minister and the Japanese minister had called?

Mr. McCANDLESS. Yes.

Senator GRAY. Some others came?

Mr. McCANDLESS. Those were the only two that came, Mr. Wodehouse and Mr. Fuge.

Senator GRAY. Did any others come in?

Mr. McCANDLESS. Mr. Canavara came later.

Senator FRYE. Who was he?

Mr. McCANDLESS. The Portuguese minister.

Senator GRAY. Do you recollect when the reception of the note of recognition from Minister Stevens was?

Mr. McCANDLESS. Yes; I was there when it came.

Senator GRAY. You can not fix the time?

Mr. McCANDLESS. Things were in such confusion that I could not fix the time exactly; but it was 4 or half-past 4 that the note of recognition came.

Senator GRAY. Had Capt. Wiltse been in?

Mr. McCANDLESS. I am not sure whether he came.

Senator GRAY. Had Mr. Swinburne been in?

Mr. MCCANDLESS. They were in during the evening before dark; I mean the afternoon.

Senator GRAY. Were they there before or after you sent out the notices?

Mr. MCCANDLESS. After the notices; I do not think any before.

Senator GRAY. Had you any conversation with them that afternoon?

Mr. MCCANDLESS. No; I was kept busy on military matters and was in and out of the building.

Senator GRAY. Did you see any of the United States forces, bluejackets, whatever they were?

Mr. MCCANDLESS. Of course, I knew where they were.

Senator GRAY. Did you see them?

Mr. MCCANDLESS. No; not that I remember.

Senator GRAY. Did you see the sentries?

Mr. MCCANDLESS. I did not pass the gate, so, of course, I could not see the sentries.

Senator GRAY. Where were you; in the foreign minister's office?

Mr. MCCANDLESS. Of course, if I had come out to the front of the building and looked directly to the left—no; I could not see the gate from there, I would have to step out into the yard to the side gate. That I could see, but the front gate I could not, because of the Music Hall.

Senator GRAY. Were you in the ranks, or a private?

Mr. MCCANDLESS. I was in the ranks.

Senator GRAY. You had no officers?

Mr. MCCANDLESS. We took the officers of '87.

Senator GRAY. You had officers, then?

Mr. MCCANDLESS. Yes.

Senator GRAY. Did you have any military organization at the time you went there, or did you just go as you pleased?

Mr. MCCANDLESS. Oh, no; came up there organized.

Senator GRAY. Did you have any communication, or any of the officers, with the commander of the U. S. troops?

Mr. MCCANDLESS. No; I do not think there was any one who had communication with the officers of the U. S. troops.

Senator GRAY. Did I interrupt you? You got where these ministers came in, and you knew of the note of recognition from Minister Stevens, and so on.

Mr. MCCANDLESS. Probably a little earlier than that, probably 3 o'clock or a little after, a deputy marshal was sent up from down at the police headquarters. He came in and asked that the ministers—our ministers—go down to the police station in order to see if we could not effect a compromise. That is the statement he made. He said he was authorized to make the statement. That, of course, was refused. He said: "There are some of the ministers who would be glad to come up, but they are afraid."

Senator GRAY. That is, of the old ministers?

Mr. MCCANDLESS. The old ministers, the Queen's ministers. I think he said if a couple of gentlemen will come down, that will inspire confidence in our ministers, and they will come up. He went back with word that if they would come up there would be no harm done; they would be allowed to come and depart again; and so Mr. Parker—there were two of them came up; I am not sure which two; but I think it was Parker and Cornwall came up, and Mr. Parker came in as good

natured as possible. He is a great big, good-natured Hawaiian. They had a little friendly chat.

Senator GRAY. Do you mean a native?

Mr. MCCANDLESS. He is a native, a half white.

Senator FRYE. About the color of the rest of them?

Mr. MCCANDLESS. Yes; about the color of the rest. He said: "Can't we fix this thing up? We don't want to be fighting you people." We told him that there could be no compromise. He said: "I wanted the others to come up with me, but they would not come; they were afraid." And I think he volunteered the statement that if we would send one or two men down it would inspire confidence in them. Mr. Damon and Mr. Bolte accompanied them back to the police station. In a short time all the Queen's ministers came to the Government building, and on behalf of President Dole a demand was made on them for the surrender of the barracks and the surrender of the police station. They said they would go over and see Her Majesty, and that some one should accompany them. Mr. Damon accompanied them. The ministers went over to the palace and stayed there an hour—between an hour and an hour and a half. In the meantime we moved from the interior office and went to the finance office so that this front office might be turned over to the military; that is, the council did. Then Mr. Damon came back with some one representing the Queen. I think it was Parker. This protest was written out, and it was presented to Judge Dole, and he was asked to acknowledge the receipt of it. He acknowledged the receipt of the paper just as any officer or anyone would acknowledge the receipt of a paper.

Senator GRAY. Who handed it to him?

Mr. MCCANDLESS. I can not say whether it was Parker or Mr. Damon.

Senator GRAY. But you can say what was said when it was handed?

Mr. MCCANDLESS. That I can remember. The paper was handed to President Dole. He made a statement; said, "Here is a protest they want to file, and I do not see any objection to acknowledging the receipt of it."

Senator GRAY. Did he say that?

Mr. MCCANDLESS. It was something to that effect. Of course, it is hard to remember the words in an exciting time like that, and a year ago. But he said, "I do not see any objection," or words to that effect

Senator GRAY. You understood that there was some point made before about the reception of that protest by President Dole?

Mr. MCCANDLESS. Yes.

Senator GRAY. Do you say you can not recollect the words?

Mr. MCCANDLESS. I do not recollect the exact words. It is hard to do that. I have a pretty good memory, but it is hard to get those exact words; but they were just the words that "I do not know of any objection to acknowledging the receipt of this dispatch which is presented."

Senator GRAY. He did receive it?

Mr. MCCANDLESS. Just indorsed it, and handed it back to them.

Senator GRAY. He did receive it?

Mr. MCCANDLESS. Yes; and the paper was indorsed and handed back to Parker. He took it off. He wrote the words there, I do not remember what they were, just acknowledging service. Then it got to be pretty nearly 7 o'clock, dark, and they said that the police station was surrendered, and everything was surrendered, and they deputized Soper, who had been appointed commander-in-chief, to go down and demand the surrender of the police station, and take it, and there were

20 men deputized under Capt. Ziegler to accompany us. We marched down Merchant street.

Senator GRAY. That was after the protest had come in?

Mr. MCCANDLESS. Yes.

Senator GRAY. Did you have an order from the Queen?

Mr. MCCANDLESS. No; we marched down and halted the troops in front of the post-office, in the line of Bethel street, probably within 75 feet of it. We, Col. Soper and I, had to force our way, the streets were jammed, and the troops were halted there. We marched forward into the station house and the marshal's office, and demanded the surrender. They had their Gatling gun and had commenced to take it apart to get it away. The doors were so narrow they could not get it from one part of the building to the other without taking it apart.

Senator GRAY. Who was there?

Mr. MCCANDLESS. Mr. Wilson.

Senator GRAY. Was there any order from the Queen?

Mr. MCCANDLESS. I do not know that there was.

Senator GRAY. Do you know of any order from the Queen?

Mr. MCCANDLESS. No.

Senator GRAY. Do you not know that Marshal Wilson received an order from the Queen?

Mr. MCCANDLESS. I do not; I never heard of it. He then invited us into the deputy marshal's office, and we talked over the details of the government, and he ordered the men to assemble below. It was just as strong there of liquor as any place I was ever in—to get up Dutch courage. They had a barrel down there.

Senator GRAY. What sort of liquor did you drink?

Mr. MCCANDLESS. The natives prefer gin. We went down below in the back yard, and Marshal Wilson made a speech to the men and Col. Soper made one to them, and that ended the formal turning over of the station house to the Provisional Government. I then went out into the street and told Capt. Ziegler to march his men in. We marched them into one of the rooms, took charge of it, and went back.

Senator GRAY. How many Gatling guns were there?

Mr. MCCANDLESS. One.

Senator GRAY. How many cannon?

Mr. MCCANDLESS. The cannon were at the barracks.

Senator GRAY. How many arms were there? Did you take any account of the arms delivered?

Mr. MCCANDLESS. There was not then; there was that night.

Senator GRAY. You did not take any account?

Mr. MCCANDLESS. No. I went back to the Government building. In the first place Mr. Wundenburg had been selected to be put in charge of the station house; but Mr. Wundenburg protested against it, saying, "I have been a lifelong friend of Mr. Wilson, and it is pretty hard to go down there and ask him to surrender; you send Soper and McCandless to take charge of it, and when Wilson is gone I will go down." A brother of mine went down with Wundenburg and took charge of the station house, and they were in charge of it for several days.

Senator GRAY. Where did you go when you went from the station house?

Mr. MCCANDLESS. Back to the Government building.

Senator GRAY. Into the council room?

Mr. MCCANDLESS. Into the council room.

Senator GRAY. Do you know what time it was then?

Mr. McCANDLESS. Eight o'clock, or half past 8.
Senator GRAY. Did you see any United States troops then?
Mr. McCANDLESS. No.
Senator GRAY. Did you go over there that evening at all?
Mr. McCANDLESS. Went past.
Senator GRAY. Did you have any communication with them at all?
Mr. McCANDLESS. No, not any person.
Senator GRAY. Do you know whether anybody furnished the United States troops with provisions that night?
Mr. McCANDLESS. They had their own provisions.
Senator GRAY. Do you know whether anybody connected with the city or Provisional Government, the committee of safety, furnished or caused to be furnished refreshments or provisions to the United States troops?
Mr. McCANDLESS. Not that I know.
Senator GRAY. Either that night or the next morning?
Mr. McCANDLESS. Yes; the next day, I believe, the ladies went down and got them coffee.
Senator GRAY. Do you know of any man, not ladies, who interested himself in doing it?
Mr. McCANDLESS. No. There may have been; I do not know.
Senator GRAY. Have you heard of anyone?
Mr. McCANDLESS. No; not on that point.
Senator GRAY. Coffee was furnished them?
Mr. McCANDLESS. I think it was.
Senator GRAY. Do you know whether Mr. Carter had anything to do with it?
Mr. McCANDLESS. No.
Senator GRAY. Do you know who dug that latrine that night?
Mr. McCANDLESS. I heard afterwards.
Senator GRAY. Do you know whether any of the committee of safety or anybody connected with the Provisional Government had anything to do with digging that latrine?
Mr. McCANDLESS. No.
Senator GRAY. Do you know how long coffee was furnished them in the way you have described?
Mr. McCANDLESS. For a day or so coffee was furnished them.
Senator GRAY. By whom?
Mr. McCANDLESS. Mr. Knowltie.
Senator GRAY. Who is he?
Mr. McCANDLESS. He has an eating house down town.
Senator GRAY. Do you know at whose instance?
Mr. McCANDLESS. Yes; at the instance of the Provisional Government.
The CHAIRMAN. That was in addition to their rations?
Mr. McCANDLESS. Yes.
Senator GRAY. Was it not at the instance of the Provisional Government that that coffee was furnished on Wednesday morning?
Mr. McCANDLESS. I do not know. I think the ladies furnished that.
Senator GRAY. On Tuesday evening?
Mr. McCANDLESS. I do not know of anything being done Tuesday evening.
Senator GRAY. You were otherwise engaged?
Mr. McCANDLESS. Otherwise engaged.
Senator GRAY. You were not in the commissary business then?
Mr. McCANDLESS. No; we had more serious business on hand, at

least we thought we had when we got back to the Government building that evening. There was not much done except proceeding immediately to organize a commission and charter a steamer to send the commissioners to the United States to negotiate for annexation. That was done that night. I do not think we adjourned until 11 o'clock.

The CHAIRMAN. Who was in charge of the Treasury, the Hawaiian money, at the time this revolution took place?

Mr. MCCANDLESS. It was in the Government building.

The CHAIRMAN. Who had charge of it?

Mr. MCCANDLESS. George Smithies was in charge. He was the register of accounts.

The CHAIRMAN. Did he become a member of the Provisional Government?

Mr. MCCANDLESS. He was kept there, and within the last two months he has been dismissed.

The CHAIRMAN. Was there any actual capture of the money by the Provisional Government.

Mr. MCCANDLESS. The information was that they went up there to inquire for the ministers, the advisory and executive councils. Of course it merged right from the committee of safety into them. They asked for the Queen's ministers, and they were not in there, and they asked for the chief clerk, Mr. Hassinger, and demanded the keys, and they were turned over.

The CHAIRMAN. That carried with it the custody of the money?

Mr. MCCANDLESS. Yes, and of the Government departments—all the affairs of the Government.

The CHAIRMAN. Did the affairs move along as smoothly under the Provisional Government as they had before? I mean the ordinary routine of the Government?

Mr. MCCANDLESS. Yes; we had taken the precaution to put men over the fire department.

The CHAIRMAN. I am not speaking about mob violence, but the civil government. Did it go on before?

Mr. MCCANDLESS. Yes, one of the first things was to suspend the writ of habeas corpus and declare martial law. That was Tuesday evening.

The CHAIRMAN. Who did that?

Mr. MCCANDLESS. The Provisional Government.

The CHAIRMAN. By proclamation?

Mr. MCCANDLESS. Yes; by proclamation.

The CHAIRMAN. From that time and as long as you remained in Honolulu, was there any outbreak or any mob violence, or any assemblage of citizens that appeared to be riotous?

Mr. MCCANDLESS. No, with the exception of one night. One night, probably I can not give that night, it was after the *Garnet*, an English war ship, came in. The United States men had liberty and the Englishmen had liberty, and very late at night, 9 or 10 o'clock at night, the streets on which most of the saloons are, a great many half whites got around there and got to talking with these English sailors; got to patting them on the back and telling them to go for the Yankee sailors, and so the Englishmen attacked some of the Americans.

The CHAIRMAN. A sort of sailors' fight?

Mr. MCCANDLESS. I think there were some natives.

The CHAIRMAN. Was any force used to put down that fight?

Mr. MCCANDLESS. No; the native people are not a hard people to handle at all, and if the marshal had done his duty there would not have been much of that.

Senator GRAY. When was that?

Mr. MCCANDLESS. That was probably the middle of February. I can not say the date.

The CHAIRMAN. Who was the marshal?

Mr. MCCANDLESS. George Ashley. He was appointed and removed afterwards.

The CHAIRMAN. Was any force used to put down that riot?

Mr. MCCANDLESS. Oh, no; that was allowed just to quietly subside.

The CHAIRMAN. Was there any occasion since the establishment of the Provisional Government when there were any riots which rendered it necessary, or it appeared to be necessary, to put them down?

Mr. MCCANDLESS. No.

The CHAIRMAN. The country has been in a peaceful state under the Provisional Government?

Mr. MCCANDLESS. Yes; there was only one thing they were afraid of, and that was incendiarism. Of course, we heard of that constantly—heard of it from the men it came from.

The CHAIRMAN. Threats of burnings?

Mr. MCCANDLESS. Threats of burnings.

The CHAIRMAN. After you had organized your force under Col. Soper on Tuesday the 17th, did you have any apprehension that Queen Liliuokalani could marshal a military force or armed citizens' force of sufficient magnitude and strength to reinstate her in her possession of the Government?

Mr. MCCANDLESS. No; but we did not take any chances on that—we continued to perfect our organization and to extend it so as to be ready for anything of that kind.

The CHAIRMAN. Taking all you know about the Hawaiian Islands and the native population and the warmth of the men who were engaged in and are now carrying on this Provisional Government, is it your opinion that Liliuokalani has any chance toward reinstating herself without the intervention of some foreign government?

Mr. MCCANDLESS. None whatever. She has not had from the first.

The CHAIRMAN. Did you regard the movement from the time it was inaugurated as one determined and resolute, or one that might give way to some counter movement on the Queen's part—some concessions on her part?

Mr. MCCANDLESS. There never was any such idea prevailed there that I know of. It was one of strict determination. We sent the commissioners to San Francisco. When we found that annexation had not taken place under Mr. Harrison's administration we felt that our interests were in just as good hands under President Cleveland. We did not see how the dial could be turned backward.

The CHAIRMAN. You say that annexation was the ultimate result of this revolution—that such was the belief of those who were engaged in it?

Mr. MCCANDLESS. Yes. You could not have gotten the men to take up arms otherwise. The whole object was annexation.

The CHAIRMAN. You spoke of that being the case the year before.

Mr. MCCANDLESS. That was only a stepping-stone—the annexation movement in '87.

The CHAIRMAN. Do you know whether the Kanaka population, the native population, sympathize in that sentiment?

Mr. MCCANDLESS. In '87 they did. Nearly the whole native population was on our side—sympathized with the movement. Of course there were none of them taken into the organization.

The CHAIRMAN. Was that distinctively an annexation movement in '87?

Mr. MCCANDLESS. Oh, yes.

The CHAIRMAN. What change, if any, has occurred since that time?

Mr. MCCANDLESS. The natives were completely captured with the idea of the lottery being there, and that there would be no further trouble about having all the money they needed if they could get the lottery. They were carried away with that idea. The native is like an Indian; he will spend all the money he can get to gamble.

The CHAIRMAN. They are gamblers?

Mr. MCCANDLESS. Yes.

Senator GRAY. What is their principal game, cards?

Mr. MCCANDLESS. They do not care for cards. They have a Chinese game there called "*Paka Pia*" and *che-fah*. There were as high as fifteen to twenty games running in the city at a time. That consisted of going in and buying the tickets, guessing a number or a word. It was a Chinese game, and they were very fond of it. It was a very common report that the marshal's office was receiving $500 a week to allow that game to continue—receiving the money from these different banks. The Chinese cook that I had at my place told me of it. The Chinese do not think anything of bribing, and the games are controlled by the Chinese. He said that the marshal got $500 a week and the deputy marshal so much, and the others still less, making about a thousand dollars a week that was paid.

The CHAIRMAN. This Hawaiian sympathy. Had that died out before the revolution?

Mr. MCCANDLESS. I think it had.

The CHAIRMAN. Among Kanakas.

Mr. MCCANDLESS. I think so, although the annexation question had not been discussed publicly until the last two or three years. It was discussed then publicly through the press and openly.

The CHAIRMAN. And that sentiment died out because they thought they could get the money under a separate government through lottery schemes and such like?

Mr. MCCANDLESS. Yes. I know the leaders of the last Legislature, among the natives, would pat their pockets, right in the legislative chamber, and say, "Here is what we are here for." It had gotten to that condition. I have seen that myself, right in the legislative hall.

The CHAIRMAN. By the members of the Legislature?

Mr. MCCANDLESS. By the members of the Legislature.

Senator GRAY. The white members?

Mr. MCCANDLESS. The half-whites. It had gotten to that pass that it was just about as corrupt as it could be.

The CHAIRMAN. What time did you leave the islands to come over here?

Mr. MCCANDLESS. The 1st day of June.

The CHAIRMAN. Did you leave to come here to give your testimony?

Mr. MCCANDLESS. No. I have larger interests in the State of Washington than I have in the Hawaiian Islands. Like many people there, I come to the States to invest my money. I went to the State of Washington in 1886. My partner stayed there, and has been there ever since, and as I accumulate money I take it to the State of Washington.

The CHAIRMAN. Your visit to the United States is merely on business?

Mr. MCCANDLESS. Yes. I would not have come over except that I promised my family to come to the Fair.

Senator GRAY. Where is your family?

Mr. MCCANDLESS. I have two homes—one in Honolulu and the other in the State of Washington. I brought my family with me.

The CHAIRMAN. Your citizenship is in the United States?

Mr. MCCANDLESS. Yes; a citizen of both countries.

The CHAIRMAN. You are a citizen of the United States and vote under the Hawaiian constitution?

Mr. MCCANDLESS. Yes.

The CHAIRMAN. But your visit to the United States had no connection with the maintenance of the Provisional Government.

Mr. MCCANDLESS. No.

The CHAIRMAN. You had no political mission over here?

Mr. MCCANDLESS. No; just on my private affairs.

The CHAIRMAN. And you were summoned here from Seattle?

Mr. MCCANDLESS. No; Ellensburg is my home.

Senator FRYE. As a member of the committee of safety did you expect at any time, from the commencement of the revolution down to its close, to receive any support whatever from the American minister or the troops of the Navy?

Mr. MCCANDLESS. No.

Senator FRYE. If the troops of the Navy had remained on board their ship, in your judgment, would it have made any difference in the result?

Mr. MCCANDLESS. None whatever; I do not think.

Senator FRYE. Did Minister Stevens, or anybody else connected with the American Government, any officer on board the ship, or anybody in authority, convey to your committee of safety any assurances or intimations that the marines would aid the revolutionary movement?

Mr. MCCANDLESS. Not that I am aware of.

The CHAIRMAN. Have you any reason to believe that there was an understanding as to that?

Mr. MCCANDLESS. No. On the contrary, Mr. Stevens was, of course, noncommittal; said he would protect American lives and property—noncombatants.

Senator FRYE. Did you know Mr. Stevens pretty well?

Mr. MCCANDLESS. Yes; well acquainted with him; met him several times in Honolulu, visited his family, and my family visited his family.

Senator FRYE. Do you know what the estimate of his character was among the citizens there?

Mr. MCCANDLESS. I do not know of an American who was not proud of him as a citizen and as the American representative. I happened to have a conversation with him just the day before the flag was taken down; had business with him. I went up to call upon him to talk about some matters. That was the 31st day of March, I think. It was either that or the 30th. At all events it was the day before the flag was taken down. We talked of the situation some, and he stated that he was very well satisfied with everything as it was; and the flag was mentioned, I am quite sure it was, among other things, and he said the flag would never come down, and that afternoon or that day, at 11 o'clock, Mr. Blount called on President Dole and said he was going to take the flag down at 4 o'clock that afternoon. Of course, it was very much of a surprise; and it was agreed that the flag should come down the next day.

Senator FRYE. Were any demonstrations made at all in taking it down?

Mr. McCANDLESS. No.

Senator FRYE. What day did you leave the islands?

Mr. McCANDLESS. The 1st day of June.

Senator FRYE. The past June?

Mr. McCANDLESS. Yes.

Senator FRYE. What was the character of the members of the Provisional Government—high in that country?

Mr. McCANDLESS. Yes; as I have stated before, the men who make up the advisory council are just such a class of men as make up the boards of trade and chambers of commerce where I have lived in the cities—men of character and standing in the community.

Senator FRYE. In your judgment is there any danger that the royal party may recover the possession which it had and restore the Queen?

Mr. McCANDLESS. I do not think there is any danger. There is only one element that is irreconcilable in the Hawaiian Islands, and that is the anti-American and the half whites.

Senator FRYE. What is the trouble with the half whites?

Mr. McCANDLESS. They, of course, believe themselves a good deal better than the natives, and they have been given a great many positions under the Government that it will be impossible for them to have with the white people controlling it. The part the full natives take in the Government, the positions they have they will continue to have—the Provisional Government have no quarrel with the Hawaiian people.

Senator FRYE. Do you know what troops Marshal Wilson and the Queen had at the time you had this interview with Wilson?

Mr. McCANDLESS. I think he was allowed 75 men. Those were not under Wilson; those were in the barracks. When we took charge of the station house I should judge there were 120 to 125 men.

Senator FRYE. Were they policemen, or what?

Mr. McCANDLESS. Policemen. And he said he had a good many extras in that night.

Senator FRYE. From the time the Queen undertook to promulgate the new constitution up to the time of the establishment of the Provisional Government, was any police force on the streets preserving order?

Mr. McCANDLESS. They were on the streets just as common as they were ordinarily.

Senator FRYE. They were?

Mr. McCANDLESS. Yes.

Senator FRYE. Under the charge of Wilson?

Mr. McCANDLESS. Under the command of Wilson.

Senator FRYE. Did your committee of safety have any idea that in order to take control it was necessary to take those barracks where those 75 men were and the police station; did you have any such idea?

Mr. McCANDLESS. Of course, we knew that there was no other armed resistance; and, of course, we were bound to take it.

Senator FRYE. Did you not regard yourself as in full possession when you took possession of the Government building, the archives, treasury, and everything else?

Mr. McCANDLESS. Yes; we had the Government and all the departments of the Government.

Senator FRYE. Had the men in charge of the Government buildings deserted? I mean the Queen's men.

Mr. McCANDLESS. The ministers were absent when the committee

of safety went there. When the committee went there they asked for them, and they made the demand of the chief clerk——

Senator FRYE. What was the danger to your committee of safety that made you call on Minister Stevens and ask him not to land the troops? What did you apprehend?

Mr. MCCANDLESS. We apprehended fire and the looting of the city. We heard those rumors right along.

Senator FRYE. Incendiarism?

Mr. MCCANDLESS. Incendiarism; yes. There were two or three fires the very night that we took charge of the Government—two or three fires that they never accounted for.

Senator FRYE. And that you apprehended from the lawless element and not the Queen?

Mr. MCCANDLESS. From the element that were her supporters.

Senator GRAY. You knew you were going to make some trouble, did you not?

Mr. MCCANDLESS. Yes.

Senator FRYE. Do you know why Arion Hall was selected?

Senator GRAY. Of your own knowledge?

Mr. MCCANDLESS. I do not know of my own knowledge.

Senator FRYE. Do you know of any other suitable place for the soldiers to be protected that night?

Mr. MCCANDLESS. That is the only reason for selecting that. I did not know of any suitable place. That is the only suitable place that they could get.

Senator GRAY. Were you with Capt. Wiltse and Minister Stevens when they were selecting the place?

Mr. MCCANDLESS. No.

Senator GRAY. You said you knew it was the only place they could get?

Mr. MCCANDLESS. Of course I knew; they marched out beyond the Government building; I saw them there myself, with stacked arms. They marched out King street until they got in front of Mr. Atherton's, that is a mile from the business center, and Mr. Atherton, I understood, invited them into his yard to get them out of the street.

Senator GRAY. Did you see them out at Atherton's?

Mr. MCCANDLESS. No.

Senator GRAY. Did you go out with them?

Mr. MCCANDLESS. No.

Senator GRAY. You went out afterwards?

Mr. MCCANDLESS. Yes; I passed them afterwards, going home.

Senator FRYE. Did the committee of safety have anything to do with making any request as to the placing of troops in Arion Hall?

Mr. MCCANDLESS. No.

Senator FRYE. When the Provisional Government took possession of the Government building, were there any American soldiers drawn up in sight of the Government building, in martial array?

Mr. MCCANDLESS. Not that I know of.

Senator FRYE. When you went there was there any in sight?

Mr. MCCANDLESS. No.

Senator GRAY. Do you know where they were?

Mr. MCCANDLESS. Yes.

Senator FRYE. Do you know of any interference on the part of the United States to help or hurt the Provisional Government's cause?

Mr. MCCANDLESS. No.

Senator FRYE. Or to help or hurt the Queen's cause?

Mr. McCANDLESS. No; it was one of strict neutrality.

Senator FRYE. What was the understanding of the committee of safety—that these troops were to be absolutely impartial?

Mr. McCANDLESS. Why, yes; that was all the information they had. They would not be anything else.

Senator FRYE. You were there while Mr. Blount was there?

Mr. McCANDLESS. Yes; for some time after he arrived.

Senator FRYE. Did the various members of the committee of safety call on Mr. Blount with any communication?

Mr. McCANDLESS. The committee of safety called on him—not the advisory council—called on him in a body to pay our respects to him, and he was informed there that any members of the committee of safety or advisory council were ready at any time to come before him.

Senator FRYE. Were they invited?

Mr. McCANDLESS. Not that I am aware of.

Senator FRYE. You were not invited?

Mr. McCANDLESS. I was not invited. The only one that I know of being invited before I left the islands was Mr. Bolte.

Senator FRYE. What was he; a member of the commitee of safety?

Mr. McCANDLESS. He was a member of the committee of safety and member of the advisory council, and still of the advisory council.

Senator FRYE. Is he an American?

Mr. McCANDLESS. He is a German. He is at the head of the American house of Gimbaum & Co., of San Francisco.

Senator FRYE. Do the Germans sympathize with you there?

Mr. McCANDLESS. Yes.

Senator FRYE. Almost unanimously?

Mr. McCANDLESS. Almost unanimously. I do not know of a German in the Hawaiian Islands who was against the movement.

The CHAIRMAN. Claus Spreckels was?

Mr. McCANDLESS. He was not there. But at the beginning Claus Spreckels was in favor of it.

Senator GRAY. Do you know the fact of your own knowledge that when this committee, the members of the council, or any of them, called on Mr. Blount that he said it was a matter of extreme delicacy on his part to ask any of them to come before him to testify as to the strength or ability or authority of their own government, but he would be glad to hear them?

Mr. McCANDLESS. I never heard that statement before. I called on him and Mr. Damon was the spokesman. After the assertion was made that any members of the advisory council, or the committee of safety, would be glad to call on him at any time, he said, "Mr. Damon, I want to have a talk with you one of these days." "Very well," said Mr. Damon, "I will be ready at any time."

Senator GRAY. I wanted to know if you knew of Mr. Blount making that statement?

Mr. McCANDLESS. No; I spoke to him and told him that I represented the younger element of Honolulu, and was there to assure him there were hundreds of young men in Honolulu who were prepared to call on him and make statements if he desired to have them, but they knew he was busy and did not care to call unless invited by Mr. Blount. That is the statement I made to him. He told me to thank the Americans for the offer, and that was all there was of that.

Senator FRYE. Do you think of anything else you wish to state that you have not stated?

The CHAIRMAN. You identify this book, Two Weeks of Hawaiian History, of which you spoke in your examination?

Mr. MCCANDLESS. I read the resolutions of that.

The CHAIRMAN. Now, this book you will take with you and examine carefully, and see if you have any statements to make to the contrary of anything therein contained, on your own knowledge or information.

SWORN STATEMENT OF DEWITT COFFMAN—Continued.

Senator GRAY. Were you on duty on the *Pensacola* at Honolulu in the fall of 1891 and during January and February, 1892?

Mr. COFFMAN. Yes.

Senator GRAY. Were you frequently on shore?

Mr. COFFMAN. Yes.

The CHAIRMAN. On the *Pensacola*?

Mr. COFFMAN. I served on both ships.

Senator GRAY. Were you frequently on shore?

Mr. COFFMAN. Yes.

Senator GRAY. Did you mix with the people of Honolulu?

Mr. COFFMAN. Yes.

Senator GRAY. So that your acquaintance with Honolulu was not confined to the few days that you were attached to the *Boston*, at the time of this revolution?

Mr. COFFMAN. I was there very nearly six months, the first time.

Senator GRAY. After the passage of what was known here as the McKinley bill, the tariff bill of 1890, did you find from your contact with business people there that the prosperity of those islands had been affected by the provisions of that bill in regard to making sugar free in the United States?

Mr. COFFMAN. Yes; generally so.

Senator GRAY. And was that very generally marked?

Mr. COFFMAN. Yes; I have heard it stated that they thought the monetary trouble they were laboring under at the time was generally due to the fact that the United States Government, by the passage of the McKinley bill, had killed, to a certain extent, if not altogether, the sugar industry of the islands.

Senator GRAY. Now, what I was going to ask you is, did that have its effect on annexation sentiment?

Mr. COFFMAN. I believe that is at the bottom of it.

Senator GRAY. Did it, to your knowledge, have the effect of creating a sentiment of annexation?

Senator FRYE. For or against it?

Senator GRAY. Have you knowledge that it did create annexation sentiment?

Mr. COFFMAN. Yes.

Senator GRAY. Did you hear any persons who before that were opposed to it say they were in favor of it?

Mr. COFFMAN. Yes.

Senator GRAY. You have already testified that you commanded one of the companies of the battalion that was landed on Monday, the 16th of January, 1893?

Mr. COFFMAN. Yes.

Senator GRAY. You landed at the wharf. What did you do at the wharf, so soon as you got out of the boats?

Mr. COFFMAN. So soon as we landed we formed our battalion.

Senator GRAY. Did you form immediately?

Mr. COFFMAN. Yes.

Senator GRAY. Was it understood before you left the boat where you were to march?

Mr. COFFMAN. Yes; I think our route of march was mapped out before we left the ship.

Senator GRAY. Who piloted you, if anybody?

Mr. COFFMAN. When we got to the Government building, after detaching the marines, Mr. Hugh Gunn, I think, guided us to Mr. Atherton's place.

Senator GRAY. What relation did he have to the Provisional Government, if any?

Mr. COFFMAN. He commanded a company of volunteer soldiers of the Provisional Government after that, and was known as one of the Provisional Government men or people.

Senator GRAY. Was there, to your knowledge, any other building suitable for the use of the troops of the *Boston* than the opera house and Arion Hall?

Mr. COFFMAN. Yes.

Senator GRAY. Where?

Mr. COFFMAN. On Nuuanu avenue, a little more than halfway between the United States consulate and the American minister's residence.

Senator GRAY. What sort of building was that?

Mr. COFFMAN. It was a large three-story, brand-new hotel, and unoccupied.

Senator GRAY. Do you know who owned it?

Mr. COFFMAN. Mr. John Thomas Waterhouse, who was present while our troops were standing in the street waiting to find out where Mr. Atherton's was.

Senator GRAY. Do you know whether that building was obtainable?

Mr. COFFMAN. I have no doubt in the world that it was obtainable.

Senator GRAY. Is that simply an opinion?

Mr. COFFMAN. That is my opinion.

Senator GRAY. Did you hear Mr. Waterhouse say anything about it?

Mr. COFFMAN. I heard Mr. Waterhouse say that he was glad to see the troops, and marched down in front of us after we had halted. He said, "I am glad to see this," and passed on in front of our troops, as much as to say he was glad to see our troops.

Senator GRAY. He owned that hotel building?

Mr. COFFMAN. Yes.

Senator GRAY. Is the situation of that building in a more thickly built up part of the town?

Mr. COFFMAN. I can not say more thickly built up; but there are fine residences around there, and it is more accessible to the business portion.

Senator GRAY. Was it nearer to what you considered the property of American citizens than Arion Hall?

Mr. COFFMAN. Yes.

Senator GRAY. More so, or how?

Mr. COFFMAN. It was nearer to the residence portion, which was the part which would be attacked in any incendiary work to go on.

Senator GRAY. Will you point on that map where it is?

Mr. COFFMAN. On Nuuana avenue.

Senator GRAY. You say it is on Nuuana avenue, a little more than half way between the U. S. consulate and the U. S. legation?

Mr. COFFMAN. Yes. (Indicating on diagram.) There is Nuuana avenue; that is the legation; it is about here—the house is not down here.

Senator GRAY. It was a new and unoccupied building?

Mr. COFFMAN. It was a new and unoccupied building.

Senator GRAY. Large enough to have accommodated your force?

Mr. COFFMAN. Yes.

Senator GRAY. Did any one suggest the use of that building?

Mr. COFFMAN. Yes; I did myself.

Senator GRAY. Where and when?

Mr. COFFMAN. When the troops were drawn up; I think first when they were drawn up in the street, and certainly afterward, when we were waiting for a place to go.

Senator GRAY. Whom did you suggest it to?

Mr. COFFMAN. To the officers in general. Mr. Swinburne was present when I spoke of that place as a good place.

Senator GRAY. What was said, if anything, in reference to that?

Mr. COFFMAN. My impression was that they thought it was not as good a location as farther down town.

Senator GRAY. You have spoken of Mr. Gunn and Mr. Waterhouse. After you landed did you see any others who were connected with the committee of safety or afterward with the Provisional Government?

Mr. COFFMAN. Yes.

Senator GRAY. Who was it?

Mr. COFFMAN. I remember Mr. Carter.

Senator FRYE. Mr. Charles Carter?

Mr. COFFMAN. Mr. Charles Carter; yes. I remember Mr. Castle. I do not know what his first name is; he is a brother to the commissioner, a tall nervous man with a red beard, I remember. I do not believe I could call the names, because it is a question of testimony. Those men I was acquainted with; I knew who they were, and Mr. Gunn I knew pretty well.

Senator GRAY. Was that at the landing place?

Mr. COFFMAN. No, up the street.

Senator GRAY. What part of the street?

Mr. COFFMAN. It was first when we halted, and the second time while we were waiting to go to Mr. Atherton's when I saw Mr. Gunn, and later I saw Mr. Carter. I was informed that Mr. Carter had obtained Arion Hall for our barracks. I also saw Mr. Carter at Arion Hall that night, and to my mind he was the moving spirit for providing for the quarters of the troops and their comfort—little things as they needed, such as sinks or latrines for the men. And they hauled in their sand late at night. I am quite sure that Mr. Carter made the arrangements, or Mr. Swinburne and Mr. Carter spoke about the condition of the sinks for the men. In fact, there was only one sink.

Senator GRAY. Did that continue until the next day?

Mr. COFFMAN. Yes.

Senator GRAY. Thoughtfulness for your comfort?

Mr. COFFMAN. Yes.

Senator GRAY. By members of the Provisional Government?

Mr. COFFMAN. Yes; they were back and forth into the Government building. Our officers knew a great many of them, and they used to talk to a great many. They used to come to the fence and come to the gate, and I am quite sure that there were some of the officers who, while they did not allow persons to come into the grounds unless they were passed in by an officer, all of them were recognized by the officers and allowed to come and go back and forth.

Senator GRAY. Was anything said in your hearing by any of these people about expecting you over to the grounds of the Government building?

Mr. COFFMAN. Yes. The day they took possession was one of the first intimations, and caused me to commence to think—the fact that one of their men came over to our house, one of their officers or one of the sympathizers, and in conversation with other persons expressed surprise that our troops had not gone into the grounds of the Government building when they took possession.

Senator FRYE. Who was that?

Mr. COFFMAN. I think it was Mr. Gunn, who commanded one of the volunteer companies.

Senator GRAY. How long was this after the proclamation of the Provisional Government, if you can recollect?

Mr. COFFMAN. I do not think it could have been more than two hours, or perhaps not so long, or a little longer.

Senator GRAY. Where were you when the Provisional Government was proclaimed from the front of the Government building?

Mr. COFFMAN. I was in the yard of Arion Hall, in command of my company.

Senator GRAY. Could you see the proceedings from where you were?

Mr. COFFMAN. No.

Senator FRYE. Which front did you understand afterwards was it that the proclamation was made from?

Mr. COFFMAN. From the front of the building.

Senator FRYE. There is only one front?

Mr. COFFMAN. Yes; only one front.

Senator FRYE. Which way does that face?

Mr. COFFMAN. It faces the palace.

Senator FRYE. And not Arion Hall?

Mr. COFFMAN. No; the positions of the two buildings are like this [illustrating]. Arion Hall is there and the Government building there, with a narrow street between them.

Senator GRAY. The proclamation was proclaimed from the north front of the Government building?

Mr. COFFMAN. I should say so; yes. That was the main entrance.

Senator GRAY. Where were you when the proclamation was read?

Mr. COFFMAN. In here, at Arion Hall, back of the opera house.

Senator GRAY. So that you could not see that?

Mr. COFFMAN. No.

Senator GRAY. Were there any troops in here [indicating]?

Mr. COFFMAN. Yes; and perhaps Mr. Laird; I do not know whether he was here [indicating]. That is where the artillery were and that is where Mr. Young was [indicating].

Senator GRAY. Does this recall to your recollection the position of the troops?

Mr. COFFMAN. Yes; my recollection of the troops is that they were a little differently arranged from that. I do not know; I may be mistaken on account of the points of the compass; but I think my company was drawn like this [indicating]. I think it stood here [indicating] and Mr. Young's right in here [indicating].

Senator GRAY. That [indicating] would not indicate that the troops were along here?

Mr. COFFMAN. No; only here—sentries.

Senator FRYE. The other officers testified that no troops were there but the sentries.

Senator GRAY. Where were the guns?

Mr. COFFMAN. My recollection is that one gun was here [indicating], pointed toward the building; the other gun here [indicating,] pointing out here. But my impression is that you can see the palace from this street here [indicating].

Senator GRAY. Is this a street [indicating]?

Mr. COFFMAN. Yes; it comes out onto the street. There is a fence along there, where my men used to come from this yard here [indicating].

Senator GRAY. Is there a gate at that point [indicating]?

Mr. COFFMAN. Yes.

Senator GRAY. You say that the next day these gentlemen provided for your comfort—Mr. Carter and others who seemed to be of the Provisional Government.

Mr. COFFMAN. I got the impression that everybody seemed on our side of the question, seemed to be in sympathy with them, and seemed naturally to look to those people for anything that was wanted done, no matter what it was.

Senator GRAY. You say that you were somewhat familiar with the people of that city and with the condition of things there. From your observation of matters about this time, and what you knew of those people, what is your military opinion as to whether that Provisional Government could have been established at that time in the way it was if the United States troops had not been landed in Honolulu?

Mr. COFFMAN. I do not think it would have been.

Senator GRAY. Did or did not that seem to be the accepted opinion in Honolulu?

Senator FRYE. Mr. Coffman has not laid the foundation for such an opinion as that.

Senator GRAY. No; I freely confess that all this examination has been outside of the rules that govern the courts, but the latitude here is greater than in court practice. Still, I think that is a proper question. I will ask you if you had the opportunity, after as well as before you landed, in your contact with the people of Honolulu, to get an impression and form an opinion as to what their sentiments were in regard to the matter I have just mentioned?

Mr. COFFMAN. I think so.

Senator GRAY. Did you meet the people?

Mr. COFFMAN. Yes.

Senator GRAY. Where?

Mr. COFFMAN. At their private houses.

Senator GRAY. Did you go to the club?

Mr. COFFMAN. Yes; and at the hotel and on the streets.

Senator GRAY. Have you extensive acquaintances in Honolulu?

Mr. COFFMAN. I think I know almost everybody in Honolulu; while not intimately, I know them pretty well.

Senator GRAY. Was the revolution and proclamation of the Provisional Government a topic of conversation?

Mr. COFFMAN. Yes; but not until after we landed.

Senator GRAY. You heard it frequently spoken of?

Mr. COFFMAN. Very frequently.

Senator GRAY. I will ask you whether you gathered from the opportunities which you have described a definite opinion as to what the impression was in regard to the matter which I have just asked you about?

Mr. COFFMAN. My opinion is that everybody believed that the entire

American force and American minister were in accord and sympathy with the movement, and I do not think the movement would have been undertaken had they not thought so beforehand.

Senator GRAY. Do you think that is the opinion?

Mr. COFFMAN. I think that is the opinion. If you say to them, "Would you have taken possession of that building had you not known that the sympathy of the United States troops and minister was with you," some of them will say, "Well, perhaps not: but they were there."

The CHAIRMAN. You say they would say that?

Mr. COFFMAN. I heard Mr. McCandless say so, and I heard Mr. Gunn.

Senator GRAY. Have you heard other people say so?

Mr. COFFMAN. Yes; I have heard other people say so; and in my mind I am thoroughly convinced that those men thought and felt if there was necessity our troops would aid them. I do not say they would have done so by firing or anything of that sort. At the time the thing came on me so suddenly I did not give it much attention; but after that time, after it simmered down, I came to that conclusion.

The CHAIRMAN. How could you aid them except by firing?

Mr. COFFMAN. The moral presence of the troops, which is very great on an occasion of that kind, and the position in which they were placed.

Senator GRAY. Your position is, that while these troops were there to protect life and property there was a general impression in Honolulu that carried the purpose of their presence far beyond that.

Mr. COFFMAN. Yes; I believe that.

Senator GRAY. I will ask you whether the people of the Queen's party did not to your knowledge generally (and if you do not know say you do not know) entertain the opinion that the presence of the United States troops was in sympathy with the movement?

Mr. COFFMAN. They did; and I have heard them say such things after the thing was over.

The CHAIRMAN. Did they include you amongst the sympathizers with the Provisional Government?

Mr. COFFMAN. Yes.

The CHAIRMAN. Was that an improper estimate of your attitude?

Mr. COFFMAN. No.

The CHAIRMAN. You were in sympathy with them?

Mr. COFFMAN. Yes. I was there to do whatever I was ordered to do, so long as it was a legitimate order from my commanding officer, and if it was I would have carried it out.

The CHAIRMAN. After you had been there sometime you had the same feeling?

Mr. COFFMAN. Yes; right straight through.

The CHAIRMAN. So that you have been ready at any time heartily to enter into the movement to overthrow the Queen?

Mr. COFFMAN. I would have entered into any order that was given me properly.

The CHAIRMAN. I am talking of your preferences?

Mr. COFFMAN. Yes. While we have no sympathy with the Queen, I have contended with my shipmates that the manner in which it was done was the only question. That is the only question I ever brought up.

The CHAIRMAN. Did you express your views there as being favorable to annexation?

Mr. COFFMAN. Oh, yes.

The CHAIRMAN. You have expressed them openly?

Mr. COFFMAN. Yes; to everyone.

The CHAIRMAN. And as being opposed to the Queen and her monarchy?

Mr. COFFMAN. As opposed to the Queen and her monarchy. That question never came up. I had no opinion of the old Queen, and I would be glad if she lost her place.

The CHAIRMAN. Do you think that a proper estimate to form of the Queen?

Mr. COFFMAN. I think it is, because I do not think, from what I have seen recently, that she is a fit person to have hold of the reins of the Government.

The CHAIRMAN. As an officer, and while you were there, did you form an opinion that the Queen was conducting a fair, honest, and reputable government?

Mr. COFFMAN. That is a question I did not form an opinion upon.

The CHAIRMAN. Did you have an opinion on the subject?

Mr. COFFMAN. No; not prior to this trouble.

The CHAIRMAN. I mean during the trouble?

Mr. COFFMAN. No; can not say that I had.

The CHAIRMAN. Upon what ground did you form the opinion that the Queen was not a proper person to be in charge of the government?

Mr. COFFMAN. In what I have seen later in the letter replying to Mr. Willis's question.

The CHAIRMAN. I am speaking of the time you were on shore as an officer of the Navy. I understood while you were there you gave expression to the opinion that the Queen was not a proper person to be at the head of the government.

Senator GRAY. Did Mr. Coffman give expression to that opinion?

Mr. COFFMAN. In fact, I can say that I said at times that she would not be restored.

The CHAIRMAN. Did you make use of that expression while you were there as an officer?

Mr. COFFMAN. Yes.

The CHAIRMAN. Upon what did you base that opinion that the Queen could not be restored?

Mr. COFFMAN. I based it upon the rush with which it was carried on. That was before Mr. Blount came out there, before any investigation; what we saw from the press, that the President had negotiated the treaty and sent it into the Senate, and we saw the discussions in the Senate.

The CHAIRMAN. Was that an estimate of the Queen's power based on her want of military resources?

Mr. COFFMAN. Yes. I believe after her military resources were taken from her she did not have the means to procure them again; I do not mean money means, but that the Provisional Government would prevent her getting hold of the means for her restoration.

The CHAIRMAN. And that is the ground on which you base your opinion that the restoration of the monarchy was not likely to take place?

Mr. COFFMAN. Yes.

The CHAIRMAN. Now, comparing the people there, the main supporters of the Queen as you knew them, with the main bodies of the citizens there engaged in this adverse movement, which would you say were the more intelligent and better class?

Mr. COFFMAN. I should say, as a man, those who are in the Provisional Government are much more intelligent, that is, much better educated, and I think that they have a greater number, a majority of those

who are conceded to be the best people in the island; although I must say that there are men who are supporters of the Queen, and whom I know personally, whose integrity I believe as good as any man's in the Provisional Government.

The CHAIRMAN. I am speaking of the general masses.

Mr. COFFMAN. Yes. The natives, you might say, are almost as a unit opposed to the Provisional Government.

The CHAIRMAN. Without reference to whether they are property holders or not?

Mr. COFFMAN. Yes.

The CHAIRMAN. It is a question of sentiment and devotion to their own institutions?

Mr. COFFMAN. A question of sentiment and devotion to their own institutions.

Senator GRAY. I omitted to ask one question. Why were you of opinion that another place than Arion Hall or the Opera House should have been selected for the troops?

Mr. COFFMAN. For the reason that the Government building would be the point of attack, and that unless we were to be in the way of any firing that might be going on, it might be better to be placed at a point which I considered at that time needed more protection than any property around Arion Hall—that portion of the city which is the residence portion.

The CHAIRMAN. Were there any troops located in the Government building?

Mr. COFFMAN. There were none there when we went there.

The CHAIRMAN. No; I mean at the time you considered the controversy between the Hawaiians and the Provisional Government would involve, necessarily, the United States troops?

Mr. COFFMAN. Prior to that time I formed this opinion—prior to the time they went into the Government building, and I had it more strongly after they went in there.

The CHAIRMAN. Was there any garrison in the Government building at the time your troops were first stationed there?

Mr. COFFMAN. No.

The CHAIRMAN. Where was the garrison?

Mr. COFFMAN. There was none, except that of the Queen's troops, which was back of the palace.

The CHAIRMAN. Well, an attack by the populace upon the Provisional Government, or by the troops of the Provisional Government upon the Queen's forces, would have been made at the barracks where the forces were?

Mr. COFFMAN. No; I do not think they had any idea of attacking the Queen's people. I think they thought the Queen's people would attack them.

The CHAIRMAN. Suppose they had the idea of attacking the Queen's people, would they or not have made it at the barracks?

Mr. COFFMAN. I think they would have gone and taken possession of the Government building, feeling if any attack were to be made the Queen's people would make it.

The CHAIRMAN. From anything you saw there at that time, was there any demonstration on the part of the Queen's troops to indicate that they would make an attack upon the Government building or on any of the troops about the Government building?

Mr. COFFMAN. No; not that I saw.

The CHAIRMAN. Then there was no danger of a collision that you could see?

Mr. COFFMAN. None, except that they had taken place there before.

The CHAIRMAN. You mean on former occasions, several years before?

Mr. COFFMAN. Yes; several years before.

The CHAIRMAN. The Government building was not a fortified place, was it?

Mr. COFFMAN. No.

The CHAIRMAN. Was it constructed of wood or brick?

Mr. COFFMAN. I think it is coral, and perhaps brick; not wood.

Senator FRYE. What is the color of the coral?

Mr. COFFMAN. Light color; gray color.

Senator FRYE. Does it harden?

Mr. COFFMAN. Yes.

Senator GRAY. After you left Arion Hall was anything done for your comfort—after you went into Camp Boston?

Mr. COFFMAN. Yes.

Senator GRAY. When did you go into Camp Boston?

Mr. COFFMAN. My recollection is that we remained three nights at Arion Hall, the 16th, 17th and 18th, and the forenoon of the 19th. When we went into Camp Boston we were furnished with beds, matresses, mosquito bars, and mosquito netting for the men, all furnished by the Provisional Government, which at that time had taken possession.

Senator GRAY. Did they keep on furnishing you coffee?

Mr. COFFMAN. No; I do not think they did; I think a short time after that we got our own cooking arrangements and cooked our own provisions.

Senator GRAY. How did you get these things; what was the mode?

Mr. COFFMAN. We had a lot of requisition blanks which were furnished to the camp, and the adjutant—of course, I do not refer to provisions, because when we got there we got our ship's cook—would make a requisition upon the commissary of the Provisional Government, Mr. Hall, and if not through him, Mr. McCandless, who was one of the military committee.

Senator GRAY. Did you have sheds?

Mr. COFFMAN. There were wash sheds for the men to wash their clothing, an officers' kitchen built, and bunks afterward. Bunks were put in the guardroom for the men who remained on shore. My recollection is that was afterward.

The CHAIRMAN. You did not decline any of the hospitalities that were offered you?

Mr. COFFMAN. I never heard of it.

The CHAIRMAN. Had the same hospitalities been tendered by the Queen's government would they have been equally acceptable?

Mr. COFFMAN. I think I would have accepted.

The CHAIRMAN. Everything was fish that came to your net?

Mr. COFFMAN. I think so.

Senator FRYE. Are mosquitoes plentiful on the islands?

Mr. COFFMAN. I did not sleep a wink that night.

Senator FRYE. How many months of the year are they troublesome?

Mr. COFFMAN. The whole year round.

Adjourned until Thursday, the 25th instant, at 10 o'clock a. m.

WASHINGTON, D. C., *Thursday, January 25, 1894.*

The subcommittee met pursuant to adjournment.

Present: The Chairman (Senator MORGAN) and Senators GRAY and FRYE.

Absent: Senators BUTLER and SHERMAN.

SWORN STATEMENT OF M. STALKER.

The CHAIRMAN. State your age and place of residence?

Mr. STALKER. I am 52 years of age and my residence is Ames, Iowa.

The CHAIRMAN. When did you last visit the Hawaiian Islands?

Mr. STALKER. I arrived in the Hawaiian Islands the 17th of December, 1892.

The CHAIRMAN. When did you come away from there?

Mr. STALKER. I left there the 1st day of February following.

The CHAIRMAN. Had you ever before that visited the Hawaiian Islands?

Mr. STALKER. No.

The CHAIRMAN. What was your purpose in making that visit, generally speaking?

Mr. STALKER. I went simply for a pleasure trip, winter's outing, and to consider the customs of the people.

The CHAIRMAN. What is your profession?

Mr. STALKER. Professor in the Agricultural College of Iowa.

The CHAIRMAN. And it was an interest in your profession that led you to look up the habits and customs of the Hawaiian people?

Mr. STALKER. No; no connection with the college whatever.

The CHAIRMAN. Had you ever been there before?

Mr. STALKER. No.

The CHAIRMAN. What islands did you visit?

Mr. STALKER. Oahu and Hawaii.

The CHAIRMAN. Oahu is the one upon which Honolulu is situated?

Mr. STALKER. Yes.

The CHAIRMAN. Did you go to Hilo?

Mr. STALKER. Yes.

The CHAIRMAN. Did you go out into the country?

Mr. STALKER. Yes.

The CHAIRMAN. Just visited the volcanoes, or make an exploration amongst the people?

Mr. STALKER. I saw comparatively little of the people on the islands. I was there several days and visited the people of Hilo and some of the prominent men of the town, and talked with them.

The CHAIRMAN. Did you make any examination of the homes and farms of the common people of Hawaii while you were out there?

Mr. STALKER. Yes; to rather a limited extent—made a number of short excursions from Honolulu and vicinity to some places more remote.

The CHAIRMAN. What opinion did you form of the native population of Hawaii, as to their docility, disposition to be quiet and good citizens?

Mr. STALKER. My estimation of them is that they are an exceptionally quiet, docile people.

The CHAIRMAN. You would not regard them then as being an aggressive military people, or aggressive in political efforts or ventures?

Mr. STALKER. No; just the reverse of that condition I should say was true of them.

The CHAIRMAN. Do they seem to be a happy people at home?

Mr. STALKER. Quite so, I think.

The CHAIRMAN. Did you ascertain from your observations whether they were living in a comparative degree of comfort, as other persons in a similar situation in life in other countries?

Mr. STALKER. I think they are. It requires comparatively little in that country to make one reasonably comfortable.

The CHAIRMAN. Did they impress you as a misgoverned, depressed, and downcast people?

Mr. STALKER. No; I would not say that.

The CHAIRMAN. I suppose their holdings of land are quite limited, small?

Mr. STALKER. That is the result of my observation, that the holdings of a great majority of natives are comparatively small, although I think the aggregate number of holdings is a good deal larger than that of any other nationality.

The CHAIRMAN. Did those small holdings seem to be sufficient for the maintenance of the families who were residing upon them?

Mr. STALKER. They seemed to be.

The CHAIRMAN. To what do you attribute that they can live on so small an area of land?

Mr. STALKER. In the first place, as I have already stated, one can live in that country better than in an inclement country, such as ours, in clothing and houses, and, to some extent, food. The country is wonderfully productive in some of its vegetable growths. They have access to the sea, which is literally swarming with fish in addition to a small plat of ground to be cultivated in taro. It is possible to support a family in reasonably good condition off what would seem to be exceedingly slender opportunities in this country.

The CHAIRMAN. As a class, would you say the people are expert fishermen?

Mr. STALKER. I doubt whether my observation on that subject would make me a very good witness. I should say hardly, in a large sense, as their fishing is carried on for private purposes.

The CHAIRMAN. The native Kanaka depends upon his skill as a fisherman, rather than endeavoring to carry on any large enterprise?

Mr. STALKER. Yes; I saw no enterprise like that carried on by the natives in a large way.

The CHAIRMAN. Were you in Honolulu in the latter part of the year 1892 and the first part of the year 1893?

Mr. STALKER. Yes.

The CHAIRMAN. When did you get back to Honolulu from your visit down to Hawaii?

Mr. STALKER. I doubt whether I can give that date. I think I went down about the first of the year and was gone seven or eight days. I returned some days prior to the so-called revolution; the date I can not just recall.

The CHAIRMAN. When you returned to Honolulu, what would you say was the situation of the people there in respect to projected or contemplated legislation upon the subject of opium and the lottery; in a state of excitement or quietude?

Mr. STALKER. There was a good deal of excitement in the assembly; or, at least, a good deal of acrimonious discussion; I would not say intense excitement; I would say hot-blooded discussion.

The CHAIRMAN. Did you hear the debates in the assembly, the Legislature?

Mr. STALKER. Yes.

The CHAIRMAN. Were the newspapers engaged in considering, discussing these questions?

Mr. STALKER. Yes; the newspapers were pretty actively interested in those topics.

The CHAIRMAN. How about the responsible citizens of Honolulu; were they also concerned in these matters?

Mr. STALKER. Yes; I think they were.

The CHAIRMAN. Were you made aware while you were there of an alleged effort to press these bills through by getting a change in the ministry of the Queen so that she could get a ministry or cabinet to sign the bills with her on their passage?

Mr. STALKER. Yes; that charge was made in the public press. I had no other means of knowing; I had no private information on that subject.

The CHAIRMAN. Was that a subject of anxious discussion amongst the people of Honolulu?

Mr. STALKER. Yes; there was a good deal of talk on that subject.

The CHAIRMAN. Were you there at the time the ministry was changed by a vote of want of confidence?

Mr. STALKER. Yes.

The CHAIRMAN. Did that change in the ministry produce any very decided impression upon the people?

Mr. STALKER. I can not say that I appreciated any marked change outside of the atmosphere about the Government building among the public officers, members of the assembly. They manifested a pretty high state of interest and some intensity of feeling on the subject. I can not say that I appreciated anything of the kind among the common people, especially on the streets.

The CHAIRMAN. Did you then have the impression that a change in the ministry and the passage of the opium and lottery bills would be likely to result in a revolution in the Government? I am speaking now of the time when the change took place.

Mr. STALKER. No; I am sure that did not manifest itself to my mind.

The CHAIRMAN. Did you hear of any association or conspiracy or any other voluntary combination of men in Honolulu at that time for the purpose of revolutionizing the Government, dethroning the Queen, and annexing the islands to the United States, in consequence of the passage of the opium bill and the lottery bill?

Mr. STALKER. No; I did not.

The CHAIRMAN. Was there any mob demonstration or military demonstration there to indicate that there was deep-seated or a violent state of feeling amongst the people in regard to these projected measures?

Mr. STALKER. No.

The CHAIRMAN. When did you first become aware that a revolution was on foot in Honolulu?

Mr. STALKER. If I remember correctly, it was on Monday, the 16th.

The CHAIRMAN. About what time?

Mr. STALKER. I attended a mass meeting at 2 o'clock in the afternoon and had some conversation with some citizens, I believe, earlier in the day, which led me to believe that there was an organized plan being developed to change the Government.

The CHAIRMAN. When you say "being developed," do you mean in process of development?

Mr. STALKER. Yes.

The CHAIRMAN. What was the first intimation you had, or first idea grasped by you, that that might result in a complete revolution of the Government?

Mr. STALKER. I think it was other than this. I had formed a conjecture of that kind a day or two earlier from some little matters that I had observed that I could not interpret the meaning of any other way. I refer now to the fact of being in one or two hardware stores in town and seeing——

Senator GRAY. Was that on Monday?

Mr. STALKER. This was Monday, and possibly as early as Saturday—observing some citizens getting fixed ammunition, cartridges—saw a number of citizens come in and rather quietly procure ammunition and go out with it.

The CHAIRMAN. Then you began to think that they would have use for that ammunition in some emeute or disturbance that was to take place?

Mr. STALKER. I began to regard that as a possibility. I knew nothing but what I saw, and began to wonder why there were so many citizens wanting fixed ammunition.

The CHAIRMAN. And it was not until Monday, if I gather your recollection about it, that you discovered there was an actual and combined movement in that direction?

Mr. STALKER. Yes.

The CHAIRMAN. About how many persons do you think were at the meeting which you mentioned as having taken place in Honolulu on Monday?

Mr. STALKER. Twelve hundred or 1,400.

The CHAIRMAN. Did it seem to be an intense meeting in its exhibition of feeling?

Mr. STALKER. A good deal.

Senator GRAY. You, yourself, were at the meeting?

Mr. STALKER. Yes.

Senator GRAY. There were other tourists, like yourself, who helped to make up that number?

Mr. STALKER. Yes; I might say I saw people there from our hotel.

The CHAIRMAN. Speeches were made and resolutions adopted?

Mr. STALKER. Yes.

The CHAIRMAN. Were there demonstrations of applause and cheering about the meeting?

Mr. STALKER. Applause and cheering were pretty vociferous at the time the speeches became of a rather sensational and exciting nature.

The CHAIRMAN. You have seen assemblages of that kind—not that kind particularly, but many public assemblages—would you say from your observation that that was an enthusiastic and strongly exciting, intense meeting?

Mr. STALKER. I can hardly say that they were intensely excited. It was a pretty enthusiastic meeting; a good deal of vociferous cheering greeted the speakers, but there was no excitement, no disturbance.

The CHAIRMAN. Did the meeting impress you with the idea that there was a resolute purpose to carry out the end?

Mr. STALKER. Yes; it did.

The CHAIRMAN. What was that end, as you gathered it from the meeting; what was the purpose they had in view?

Mr. STALKER. I believed then, for the first time, certainly that a

revolution was in contemplation, although that was disclaimed in the speaking.

The CHAIRMAN. In the speeches was it stated, or did you understand it to be advocated as an attitude of the meeting, that in the event they could get a guaranty of their constitutional rights they would not overthrow the Queen or revolutionize the Government?

Mr. STALKER. As I recall it there was no policy, no promise of anything outlined. It was rather a declamatory style of speaking, in which the existing Government was severely criticised, different speakers saying: "We are not here as revolutionists, but to talk about grievances." I can not recall a single speech where so much as a single word was said about changing the form of the Government. I can not recall anything of the kind.

The CHAIRMAN. And yet you were conscious all the time that that would be the result?

Mr. STALKER. Yes; when I went to my hotel immediately after the meeting I said to some of my friends, "There will be an attempt at revolution here inside of three days;" I was laughed at.

The CHAIRMAN. Suppose that the Hawaiian people had been left to settle this matter in their own way, without the intervention of the United States or any other country, could you state it as your opinion that the popular demonstration which you witnessed at that meeting and the persons who were engaged in it and the purposes which actuated them were sufficiently strong and the people were sufficiently powerful to carry their end against the real government? In other words, did you believe from all the surrounding circumstances that the revolution then inaugurated would be successful aside from the intervention of the United States?

Mr. STALKER. I am not prepared to say I believed the Hawaiian citizens who were most enthusiastic in this meeting would of themselves conduct a successful revolution; but I had been led to believe by some remarks of citizens that the men were coming from the *Boston*.

The CHAIRMAN. State what those remarks were, and who were the men who made them, and when they were made as well as you can remember.

Mr. STALKER. If I remember correctly, it was a friend of mine, a Mr. White, who was a member of the revolutionary party, a nice gentleman. He said to me on this day——

The CHAIRMAN. What day?

Mr. STALKER. I think this was Monday—"If you want to see some fun get up early to-morrow; there will be an end of Kanaka Government."

The CHAIRMAN. What time of day was that remark made to you?

Mr. STALKER. I have been trying to recall that, and I am not quite able to say whether this was in the forenoon or afternoon.

The CHAIRMAN. That was on Monday?

Mr. STALKER. Yes; I am sure this was on Monday.

The CHAIRMAN. Where were you when Mr. White made that remark?

Mr. STALKER. I met him on the street.

The CHAIRMAN. Do you remember whether it was before or after the the mass meeting which you attended?

Mr. STALKER. I can not say as to that.

The CHAIRMAN. You have stated what he said. Have you stated all or is there something else you wish to add?

Mr. STALKER. I think that is all I recall, anything like verbatim. He used those words.

The CHAIRMAN. After the mass meeting had passed, I will say the two mass meetings that occurred on Monday, was there a state of quietude in Honolulu?

Mr. STALKER. Yes; I think there was. When I left the meeting at the barracks, held by the supposed revolutionists, I went to the meeting held by the natives—that is, mostly native people who were in attendance at this meeting around at the Government building. I walked in and out of that crowd and through it, and I saw no disturbance.

Senator GRAY. That was an open-air meeting?

Mr. STALKER. Yes; this was an open-air meeting. I saw no demonstration. I could not understand what they were talking about. I saw no violence, no demonstration. I walked about the streets afterward, and I saw no disturbance, heard no loud talking, nor anything to indicate violence—so far as a man could see on the surface——

The CHAIRMAN. On Monday evening and night was Honolulu in a condition of quietude, or one of excitement?

Mr. STALKER. I saw no excitement whatever.

The CHAIRMAN. About what time did the troops from the *Boston* come in that evening?

Mr. STALKER. Late in the afternoon, a little before sundown; I should think between 4 and 5 o'clock, as I recall it.

The CHAIRMAN. Did their appearance create any excitement amongst the population?

Mr. STALKER. Apparently not. There was quite a little talk about it. The question was very frequently asked: "Why are the *Boston* boys here?" Some of us walked over from the hotel, which was a block or two blocks away, heard their music, and saw the boys marched up the street.

The CHAIRMAN. Did the troops come with drums and fifes or with a brass band?

Mr. STALKER. They had a drum corps.

The CHAIRMAN. Did you witness anything of an exasperated or agitated feeling on the part of the natives as they were marching up through the streets?

Mr. STALKER. In their faces I think there was a good deal of intense excitement manifested. They were comparatively quiet. That seems to be their disposition. They stood around in considerable numbers. A few hundred of them were out there when the *Boston* boys came to a halt in front of the palace, standing on the sidewalks and in the streets. But there was very little conversation going on, even amongst them.

The CHAIRMAN. Was it a mixed assemblage of women and children?

Mr. STALKER. Yes.

The CHAIRMAN. Such as would attend a demonstration of that kind in towns here?

Mr. STALKER. Yes.

The CHAIRMAN. Was any clamor raised against them—hissing or resentment at their coming ashore?

Mr. STALKER. No; nothing that I could recognize as a hiss.

The CHAIRMAN. Did you witness any demonstration against the troops while they were ashore by any person of Hawaiian nativity?

Mr. STALKER. I did not.

The CHAIRMAN. You would say, I suppose, that their presence on the island was not a cause of national offense, so far as you could see?

Mr. STALKER. It certainly did not manifest itself in the way of disorderly conduct if it was.

The CHAIRMAN. It was not such as would accompany the Britishert if they were to land in Baltimore without invitation from the Presidens of the United States?

Mr. STALKER. I think not.

Senator GRAY. While you are on that subject of the landing of the troops, I will ask you a question. You have already said that (on Monday, I think it was) you heard expressions from a number of people that some revolution, indications of which you thought you had seen, would be supported by the troops from the *Boston*. When these troops landed did you gather from your contact with or observation of the people an impression as to how that landing was regarded, and what was the general opinion as to the purpose of that landing?

Mr. STALKER. The feeling, so far as I was able to judge of it, from conversations with the citizens, was that they would at least not be in the way of any revolutionary effort that might come on.

The CHAIRMAN. You mean the troops from the *Boston* would not be?

Mr. STALKER. Yes.

Senator GRAY. Was that landing and the impression that it created, in your opinion, a discouragement of those who were in the contemplated revolution?

Mr. STALKER. It was not; most decidedly.

Senator GRAY. Were you present when the troops landed from the boats?

Mr. STALKER. Not at the wharf; not at the landing.

Senator GRAY. You first saw them as they passed your hotel?

Mr. STALKER. They did not pass immediately by the hotel, but two streets away. I saw them as they came up.

Senator GRAY. Where was their first halt?

Mr. STALKER. Their first halt was in a sort of plaza, or broad street, near what they call the royal palace and Government building.

Senator GRAY. How long did they halt?

Mr. STALKER. They were there several minutes. I should think they stood around there a quarter of an hour or more, possibly twice that long. Then they marched on past the palace down the street a few blocks beyond and turned into the grounds of a private citizen. A little later they marched back up the street to their same position, the palace being on the right side and the Government building on the left hand as they came back, and went into quarters for the night in a building that stands immediately at the end of the Government building and facing the palace on the opposite side of the street.

Senator GRAY. That was Monday?

Mr. STALKER. Monday night. It was dark before all this was through with.

Senator GRAY. Were you up there when they went into quarters?

Mr. STALKER. No; I was not there when they returned; this was after dark.

Senator GRAY. Did you get up early the next morning, Tuesday, to see what the fun would be which Mr. White had predicted you would enjoy?

Mr. STALKER. Yes.

Senator GRAY. What did you observe on Tuesday?

Mr. STALKER. I walked out to the corner of the palace grounds, a plot of land possibly of 20 acres, cornering on the hotel grounds. I walked along on the west side of the court over to the street where the

troops were quartered, and walked along immediately in front of where they were quartered, and everything was perfectly quiet. It was just in the gray of the dawn. Everything was perfectly quiet there. There were a few guards on duty; that was all that was visible so far as the troops were concerned. I then walked quite around the palace ground and passed the quarters of the native troops, which were immediately on the opposite side of the palace grounds on which the men of the *Boston* were quartered. The two were on almost directly opposite sides of the palace. Everything was quiet in the palace grounds.

Senator GRAY. Go on in your own way with the events of that day. This was pretty early in the morning; had you your breakfast?

Mr. STALKER. No; I went out pretty early in the morning; I went back to the hotel and had my breakfast as usual; a little later in the morning I went down town. The hotel is away from the business streets of the city, and I went down on the business streets and in some of the business places; dropped in where I had acquaintances and it was all as it had been—business houses were open, men were buying and selling. I saw no demonstration; heard nothing said of an excitable character. I went to the public library for a time and returned to the hotel for my dinner.

Senator GRAY. About what time was this?

Mr. STALKER. This was possibly 1 o'clock, I should say; possibly a little after 1 o'clock when I came out from my dinner. I walked out from the dining hall on to a broad *lani* that runs around the three sides of the hotel; just as I came on to this veranda I heard a shot.

The CHAIRMAN. Was this Tuesday?

Mr. STALKER. It was Tuesday morning of which I was speaking. I heard a shot in the direction of the business part of the town. I stood waiting a moment to see whether it was a matter of any consequence. Possibly two or three minutes later a carriage came by at a very rapid pace, with a driver on the front seat and a man on the rear seat with a rifle. This was succeeded in pretty rapid succession by other carriages, being driven at a rapid rate, containing 1, 2, or 3 men with guns. These carriages were driven past the hotel in the opposite direction from the business portion of the city. These carriages came from the direction where the shot was fired, and came in front of the hotel. I walked down in front of the hotel, in the grounds, and asked a gentleman at the telephone station what this meant. He said, "The war has commenced; one man has been killed."

The CHAIRMAN. Who told you this?

Mr. STALKER. The man at the telephone station. He said that a policeman was shot. A number of carriages passed by in rapid succession, and occasionally a man on foot. I, with some friends, went to the top of the building, where there is a sort of outlook, an observatory. There is a view in every direction. We could see the palace grounds, the public building, and to some extent the town in other directions. We remained up there twenty minutes, probably thirty minutes; I could not tell the time exactly, and could see little or nothing that was indicative. So we came down, and I remarked to my friends, "Probably it will be uncomfortable for us on the front porch; we had better take the rear of the building if there is to be fighting on the campus." I thought I would go down and see if I could get some word from the seat of war. I walked past the side of the palace grounds and saw no excitement there until I came to the corner, came to the street that passes between the palace and the Government building. On going to the Government building I saw a crowd in the street, quite a

number, and as soon as I reached a point of vantage where I could see well, I observed there were men inside the grounds with guns, and some few straggling citizens were in there unarmed. Guards were placed at the gates, and after that citizens were not allowed to go in without permission. About the time I arrived, or very soon after, a gentleman commenced reading a document which proved to be a revolutionary declaration and the announcement of the organization of a new government.

Senator GRAY. Do you know whether he had commenced reading, or whether it was that you then first perceived that he was reading, and had been for a little while after you arrived?

Mr. STALKER. I did not hear him reading on my arrival, and did not have the impression that he was reading at the time I arrived, though I did not get a good point of observation at once, and there was some confusion. I could not see very well, and I would not be positive whether the man was reading at the time I arrived or not; my impression is that he began reading after I arrived.

Senator GRAY. How long did you stay in the vicinity of the Government building at your point of observation?

Mr. STALKER. I stayed there and thereabout for probably half an hour, possibly longer.

Senator GRAY. On which front of the building were you?

Mr. STALKER. I was on the side facing the palace—the main entrance of the building.

Senator GRAY. Were you down the street that separates the Government building from the building in which the United States troops were quartered?

Mr. STALKER. Yes; the Goverment building and the building in which the United States troops were located are separated by a narrow alley. It is not a public street; it is a very narrow way, and there is practically no travel along it.

Senator GRAY. That is called Arion Hall?

Mr. STALKER. Arion Hall.

Senator GRAY. How far is Arion Hall, or the ground on which it is situated, from the public building, as nearly as you can estimate?

Mr. STALKER. Simply a narrow roadway or alley between the two. There is room to drive a carriage between the fence inclosing the grounds of the public building and that of Arion Hall, and that is about all, as I remember.

Senator GRAY. When you walked down there did you see the United States troops?

Mr. STALKER. Yes.

Senator GRAY. Where were they?

Mr. STALKER. They were at the end of Arion Hall, in a little court or vacant piece of land.

Senator GRAY. Outside the Government building?

Mr. STALKER. Outside the Government building.

Senator GRAY. Drawn up in a line?

Mr. STALKER. I do not think they were when I saw them. I do not remember observing them when I walked up first. I think as I came away they were not in line. I would not be too positive about that.

Senator GRAY. Did you see any of the officers or converse with them?

Mr. STALKER. At that time?

Senator GRAY. Yes.

Mr. STALKER. I do not remember talking with any officer on that occasion.

Senator GRAY. Very well; state anything else that occurred in the sequence of events of that day in your observation?

Mr. STALKER. The Hawaiian flag was floating from the mast over on the palace.

The CHAIRMAN. On the palace?

Mr. STALKER. Yes; on the Queen's palace. And I observed couriers or orderlies going back and forth. I did not know the significance of it, but observed individuals go from one building to the other; they passed the guards at both places, came in and went out, and this sort of thing was kept up certainly for a half hour or longer without any visible change taking place anywhere.

The CHAIRMAN. By the palace do you mean Iolani Palace?

Mr. STALKER. Yes; that is the palace as distinguished from the Government building, where state business is transacted. After a little the flag on the palace came down, and there was a murmur through the crowd that the Queen had probably surrendered; that the flag was down. But a moment later it was pulled up again. It seems it was being adjusted. Then a cheer went through the crowd when the flag was pulled up; but a little later a native Hawaiian came out and lowered the flag, and pretty soon the word went through the crowd on the streets that the Queen had surrendered. A little later it was in print, what doubtless has been presented in evidence here a good many times, that the Queen had surrendered "To the superior military forces of the United States."

The CHAIRMAN. I would like you to give the day and the time of day exactly when that occurred.

Mr. STALKER. When the flag came down?

Senator GRAY. Mr. Stalker has already said it was Tuesday, the 17th of January.

Mr. STALKER. Yes; Tuesday, the 17th. And this was late in the afternoon. I could not say what time of day it was. I believe it was between 3 and 4, possibly as late as 4 o'clock, though I would not be positive as to the time of day.

Senator GRAY. Was it not as late as 5?

Mr. STALKER. That the flag came down?

Senator GRAY. Yes.

Mr. STALKER. It might have been. Let me see. About 2 the ball really opened over there, and it might possibly have been as late as 5. I should say it was as late as 5 when the flag came down. There was a good deal of delay, parleying back and forth, until pretty well along in the afternoon.

Senator GRAY. You were on the streets all this time, from the time you went up after dinner to the public building to the time of the events which you have described as coming under your observation; did you continue in the streets of Honolulu?

Mr. STALKER. I was back and forth after getting some information. When I first went over I remained a time, half an hour, possibly longer than that, and then went back to the hotel to tell some of my friends there, who were in a pretty uneasy state of mind, what had occurred. I then came out on the street, and I was on the street during the afternoon and evening.

Senator GRAY. Did you hear anything said during that afternoon and evening in regard to the presence of the United States troops?

Mr. STALKER. Yes; I heard frequent remarks about their presence.

Senator GRAY. And the significance of their presence?

Mr. STALKER. Yes; I believe I did.

Senator GRAY. What was it, as you understand it?

Mr. STALKER. This query came up, probably in some conversation with people sitting about in the hotel: "If the troops were there to protect property, why did they not protect that building, its offices and treasury, against parties who came there with arms in their hands, and nobody presumably knowing what they were going to do and what they were there for?"

The CHAIRMAN. To what offices do you refer?

Mr. STALKER. The permanent offices of the Hawaiian Government.

The CHAIRMAN. The Government building?

Mr. STALKER. Yes; the Government building generally.

Senator GRAY. When you got back to the hotel after the proclamation of the new Government and the hauling down of the flag was everything quiet that evening?

Mr. STALKER. Yes.

Senator GRAY. Do you know what gave that sense of repose? I ask the question in this form: Was it confidence in this newly established Government and its ability to preserve order, or was it the presence of the United States troops?

Mr. STALKER. That I would not be able to answer. As I said before, I saw no street demonstration or acts of violence; nor did I hear threats during this time, either before or after.

The CHAIRMAN. You have been speaking about the impressions you derived from conversations you heard at the time you have indicated. Can you trace those conversations to any particular individuals—those remarks?

Mr. STALKER. I do not believe I can. A number of us was at the hotel, and a good many I did not know the names of. We engaged in miscellaneous conversation, and remarks were frequently made by persons whom I did not know.

The CHAIRMAN. Were these men who have any connection with the political movement there either for the Queen or against her?

Mr. STALKER. No, I think not; they were people who, like myself, were simply standing by.

The CHAIRMAN. Disinterested observers, or rather observers of matters with which they were not connected?

Mr. STALKER. Yes.

The CHAIRMAN. I suppose it was very much as it would be with any other discussion of a current event by gentlemen looking on and observing without having any participation at all?

Mr. STALKER. Yes.

Senator GRAY. You were not partisans of either party?

Mr. STALKER. No.

Senator GRAY. On the next day what seemed to be the condition of things?

The CHAIRMAN. That would be Wednesday?

Senator GRAY. Wednesday; yes.

Mr. STALKER. Matters were quiet. I was in and out of the hotel and on the streets around in front of the public buildings. I think on Wednesday I was in Mr. Severance's office. He was our consul at that time, and he gave me a pass or permit which entitled me to go to the building. I had been there a good many times; had a good many acquaintances in the office; and I went in and out and talked to them. I think it was next day that Mr. Severance gave me a pass.

Senator GRAY. Did you hear any discussion of the events of the day before?

Mr. STALKER. Comparatively little; there was no excitement on the street that I could detect.

Senator GRAY. It was understood that the Queen had surrendered in the way you have described?

Mr. STALKER. Yes. The next morning these matters were all in the public prints, and her ukase, or whatever she termed it, was printed, and in the morning papers.

Senator GRAY. Did you hear any talk of projects or schemes of resistance to the Provisional Government on that day, or shortly after?

Mr. STALKER. No; never while I was there did I hear anything to lead me to believe that there was any organized resistance in contemplation.

Senator GRAY. Did you ever have any conversation with any of the officers of the *Boston*?

Mr. STALKER. Yes; I met them frequently at different times on board the boat, and met them at the hotels.

Senator GRAY. Did you have any discussion with any of them in regard to these events which had taken place?

Mr. STALKER. I talked with Capt. Wiltse about the subject.

Senator GRAY. What was the tenor of your conversation, so far as it had reference to this matter?

Mr. STALKER. I remember on one occasion we were driving up from Waikiki, which is a suburb, bathing resort, and the conversation turned on this matter. I was interrogating Capt. Wiltse as to whether the United States troops had not participated in this matter to rather an unjustifiable extent.

The CHAIRMAN. Will you state just when that was?

Mr. STALKER. This was a few days after; I can not state the day.

The CHAIRMAN. After this Tuesday?

Mr. STALKER. Yes; after Tuesday—between that and the end of the month some time. I asked him this question, whether this was not a move to destroy the form of government that was the one preferred by the great mass of the people of the islands.

Senator GRAY. With reference to the participation by the soldiers?

Mr. STALKER. With reference to their participation; as to whether our Government had not involved itself in what had been done. Capt. Wiltse made this remark to me: "All this talk about who has a right to vote and who has a right to govern in these islands is bosh; I do not care a cent about that; the only question is, does the United States want these islands? If it does, then take them." Those were his words.

Senator GRAY. You say this was some days after the revolution?

Mr. STALKER. Yes; some days.

Senator GRAY. And after the circumstances which you have described?

Mr. STALKER. Yes.

Senator GRAY. Was or was not the movement which you have already described, and which resulted in the surrender, such as it was, of the Queen and the establishment of the Provisional Government on the terms of the proclamation, an annexation movement to the United States, as distinguished, I mean, from an ordinary revolution having for its object the displacement of one government by another?

Mr. STALKER. I believe it was. Perhaps even a better form would be——

Senator GRAY. State it in your own form.

Mr. STALKER. I believed it was.

Senator GRAY. State in your own words what your belief was.

Mr. STALKER. My belief was that it was a movement intended to end in the annexation of those islands to this country.

Senator GRAY. By that you mean that was the purpose which animated those who acted in the revolution?

Mr. STALKER. Yes.

The CHAIRMAN. Did you have any reason to know or believe that that movement was disconnected from any purpose on the part of the revolutionists to preserve and maintain their rights under the constitution of 1887?

Mr. STALKER. I did not believe the revolution was inaugurated for the purpose of securing their rights under that constitution.

The CHAIRMAN. You did not believe that?

Mr. STALKER. No.

The CHAIRMAN. State the grounds of that belief.

Mr. STALKER. I believed it from this fact, that one of the first items of information that came to us after the downfall of the existing government was that a boat would be dispatched immediately to make a tender of these islands to this Government. That was early the next morning. That was a matter of conversation everywhere. On making inquiry, I went down to Mr. Severance's office to ascertain whether I could get a permit to go home on that boat. I had stayed a little longer than I had intended, on account of the exciting events there, and I wanted to come over on the *Claudine* at the time she sailed with the commissioners. Mr. Severance told me that I would not be able to get on board that boat; and it was evident the following day that the preparations were active for annexing these islands to the United States.

Senator GRAY. You were stating, in answer to a question by the chairman, what the grounds of your belief were. You stated one fact. I will ask whether you had any grounds for it in what you heard from those who were active in the revolution that annexation was their object?

Mr. STALKER. Possibly simple disconnected remarks. I had no conversation with any active member of the revolutionary party containing statements to that effect; only incidental remarks dropped in my hearing, like these: "Soon we will all be Americans."

The CHAIRMAN. By whom were those incidental remarks dropped?

Mr. STALKER. I can not say. I remember hearing that remark dropped by some person. I believe I heard that remark, or similar remarks, in some of the crowds on the street, from men whom I would not know.

Senator GRAY. English-speaking people—American people?

Mr. STALKER. Oh, yes; American people.

The CHAIRMAN. To get at the nature of the belief on which you were forming these opinions, I will ask you whether any person officially connected with the Queen or the revolution came to you to inform you of the nature of the affairs or the progress of the affairs that were expected?

Mr. STALKER. No.

The CHAIRMAN. What you had learned was the common gossip on the street?

Mr. STALKER. Yes; that is where I gathered practically all my information.

Senator GRAY. You were seeking information?

Mr. STALKER. I was seeking information. I was inquiring——

THE CHAIRMAN. Did you gather from what you heard there and observed there in this way that these people who were promoting the

revolution would not have been satisfied to have continued the monarchy if they could have felt assured of the preservation of the rights which they held under the constitution of '87?

Mr. STALKER. I certainly gathered the impression that they would not be satisfied with that.

The CHAIRMAN. From whom did you gather that impression, if you can state?

Mr. STALKER. I gathered that impression first from the speeches made at the mass meeting.

The CHAIRMAN. Were those speeches reported in the morning papers or the papers the next day?

Mr. STALKER. Yes.

The CHAIRMAN. Were they correctly reported?

Mr. STALKER. Measurably so.

The CHAIRMAN. Have you any fault to find with the report, or any amendment to make of it, according to your memory?

Mr. STALKER. Not specially. I would not make any criticism on the reports. I do not think they were verbatim reports in every respect; but there was nothing stated that would materially change the tone of the speeches.

The CHAIRMAN. What you are stating is the conviction that you derived from the speeches as they were delivered and reported?

Mr. STALKER. Yes.

Senator GRAY. And I thought you said, remarks made in the meeting?

Mr. STALKER. And remarks made in the meeting, some of those in the form of speeches, and occasionally by individuals in the meeting responding. For instance, when Mr. Baldwin, I think, made use of this expression: "What we do ought to be done under the constitution," a number of individuals shouted "No;" and while that might point in the opposite direction from my interpretation—the general belief—the general impression that I would gather from the tenor of those speeches was that they were intending to form a new government if public sentiment would seem to justify the movement.

Senator GRAY. Do you mean a form of government in favor of annexation?

Mr. STALKER. Yes.

The CHAIRMAN. The speeches you refer to—those made to the audience—were very largely by men put up to speak?

Mr. STALKER. Yes.

The CHAIRMAN. That is your conclusion?

Mr. STALKER. Yes.

The CHAIRMAN. In regard to these incidental remarks in the audience, were they different from the resolutions adopted at the meeting?

Mr. STALKER. Simply cries of "No," when a speaker indicated cautious movement; but nothing in opposition to the resolution which was a resolution favoring the continuance of the committee of safety and expressing belief in their ability to look out for the interests of the people, or something to that effect.

The CHAIRMAN. Amongst those objections that you have been speaking about here, did you hear any cries or expressions to the effect that the Queen was not to be trusted; that she intended to overthrow the constitution?

Mr. STALKER. Nothing of that kind from the crowd, that I recall.

The CHAIRMAN. Well, from the speakers?

Mr. STALKER. From the speakers; yes—that the Queen was revolutionary in her acts.

The CHAIRMAN. Did the crowd deny that?

Mr. STALKER. No.

The CHAIRMAN. Did they not concur with the speakers on that proposition?

Mr. STALKER. They did. It would be my impression that they did.

The CHAIRMAN. So that, you would gather that the real pith of the movement was that they would no longer trust the Queen, because she had begun a revolution by overturning the constitution?

Mr. STALKER. Yes; that was said, in effect, by the speakers.

The CHAIRMAN. Can you say, on the Tuesday or Wednesday that you have mentioned, that the appearance of the Hawaiian Kanaka population was that of a people resentful at the invasion of a hostile power, and were awed into submission by a display of military force?

Mr. STALKER. That would be my opinion.

The CHAIRMAN. Did you observe any evidences of resentment, and what were they, on the part of the Kanaka population at the appearance of the U. S. forces in Honolulu?

Mr. STALKER. Have you in the first part of that question the expression "resentment?"

The CHAIRMAN. Resentful at the invasion of a hostile and foreign power?

Mr. STALKER. You had better agree on a way of stating that before it is taken down.

Senator GRAY. State it in your own way; you have not answered the question.

The CHAIRMAN. Yes; state it in your own way.

Mr. STALKER. I believe that a large majority of the native Hawaiian population, so far as I was able to judge, was opposed to the action taken by the troops of the *Boston*, and regarded it as unfriendly toward their Government.

The CHAIRMAN. Can you state any fact that will go to support that conclusion—any expression from any native Kanaka, or any movement of the Kanaka population that will support that proposition?

Mr. STALKER. I would not be able to recall, probably, a statement of any native. There was a quiet, or rather sullen, expression on the faces of nearly all the native population, and a rather suppressed murmur in regard to the presence of these troops. But I can not recall any expression definitely used by individuals in the way of objection.

Senator GRAY. I know the difficulty in stating an impression gathered as to the opinion of a large mass of people, of producing or reproducing individual expressions. But, to put the chairman's question in another form: Did you not receive this impression of which you speak from the deportment and conversation that you observed and felt, so to speak, all around you, and would not that support that opinion?

Mr. STALKER. Yes.

The CHAIRMAN. Will you state what that deportment and conversation were?

Mr. STALKER. I do recall, after thinking it over, a somewhat protracted conversation with one native who was a member of the assembly.

The CHAIRMAN. What is his name?

Mr. STALKER. A Mr. Bush. He was unstinted in his denunciation of the course pursued and of the purpose to overthrow the exist-

ing government and take away from them their independence, as he termed it, and annex the islands to this country. That was his statement of the case. And further, if I may be permitted to say—as he is in some sense a representative man among them, a public man, at least—he voices this, coupled with the assertion that it was the opinion of an overwhelming majority of their own people.

The CHAIRMAN. How long had you known Mr. Bush?

Mr. STALKER. I had only seen him in the assembly as I had seen many others. I saw him probably within a day or two after I went over there first, and saw him almost every day while I was in Honolulu.

The CHAIRMAN. Was he opposing or favoring the lottery and opium bills?

Mr. STALKER. I think he was favorable to the bills.

The CHAIRMAN. Both bills?

Mr. STALKER. Certainly the lottery bill; I do not recall his action on the opium bill.

The CHAIRMAN. Do you remember the persons who were in Honolulu promoting the passage of that bill—I mean from abroad, foreigners?

Mr. STALKER. I simply had it from others, not from any acquaintance, that there were two Americans who were the particular promoters of the scheme.

The CHAIRMAN. Who were they?

Mr. STALKER. I do not recall their names; one was said to be from Chicago, the other from St. Louis. Their names I do not recall. I came over on the *Australia* in her February trip with one of the men in whose favor this grant was given. He was a man whose home, I think, is in the islands. He is a Scotchman.

The CHAIRMAN. What is his name?

Mr. STALKER. I have forgotten his name. I met him on board ship only, and his name at this moment has slipped my mind.

The CHAIRMAN. In his criticisms on the action of the Government, or upon the revolutionists in breaking down his lottery, was he earnest?

Mr. STALKER. No; I never heard him discuss that question further than this: We had a little talk about it one day, and he simply said that now he did not suppose that anything would come of it. But he did not enter into any discussion of the merits or demerits of any of the parties engaged in this movement.

The CHAIRMAN. But that the revolution had crushed out his lottery!

Mr. STALKER. Yes; and that his lottery was dead. He gave me that impression.

The CHAIRMAN. Was there any other person in Hawaii whom you became acquainted with, and with whom you had conversation in the same line that you had with Mr. Bush?

Mr. STALKER. Yes; I talked with other people who criticised these actions.

The CHAIRMAN. State who they were, if you please.

Mr. STALKER. I remember a conversation in the family of Mr. Walker.

The CHAIRMAN. Was he a member of the Legislature?

Mr. STALKER. He was president of the Assembly.

The CHAIRMAN. He was president at the time the vote of want of confidence in the Wilcox-Jones cabinet was expressed.

Mr. STALKER. Yes.

The CHAIRMAN. How did he vote on that?

Mr. STALKER. I do not know how he voted on that question.

The CHAIRMAN. Do you not remember that he was opposed to the retention of the former cabinet and in favor of putting in the new lottery and opium cabinet?

Mr. STALKER. No; my impression is that he was on the other side of those questions; that is, opposed to the opium and lottery bills.

The CHAIRMAN. That is your impression?

Mr. STALKER. Yes.

The CHAIRMAN. What did Mr. Walker have to say to you about the purpose of this revolutionary movement?

Mr. STALKER. It would be hard, if not possible, to separate just what Mr. Walker said from what was said by other parties, as there were a number of people in the house during the evening.

The CHAIRMAN. Was it at the entertainment?

Mr. STALKER. A few people; not a public entertainment. I was invited there to attend the meeting of probably none but members of his own household.

The CHAIRMAN. It was not a dinner party?

Mr. STALKER. No.

The CHAIRMAN. The subject of Hawaiian politics was under discussion there?

Mr. STALKER. Yes.

The CHAIRMAN. What did Mr. Walker say in his opinion was the real motive of this movement?

Mr. STALKER. The expression was freely indulged in that it was a movement to annex that country to the United States and freely criticised as such.

The CHAIRMAN. Did Mr. Walker object to that?

Mr. STALKER. It was objected to; I am not able to fix upon Mr. Walker himself individual expressions as separate from other members of the household, where there were two or three grown sons and others. The action of the revolutionists was freely criticised, and the statement made that it was a few of the missionary stock that created the trouble.

The CHAIRMAN. What was said, if anything, about the Queen having made up her mind to overthrow the constitution of 1887 and substitute one of her own making in place of it?

Mr. STALKER. I do not remember any conversation on that phase of the subject.

The CHAIRMAN. That was a subject of general conversation in the community, was it not?

Mr. STALKER. Oh, yes.

The CHAIRMAN. Can you account for its not being referred to on that occasion when you were discussing Hawaiian troubles?

Mr. STALKER. No; I can not. Let me see. Mr. Walker did criticise the action of the Queen in that particular.

The CHAIRMAN. What was his criticism?

Mr. STALKER. Simply that it was not warranted by law.

The CHAIRMAN. If not warranted by law, was it revolutionary, or in accordance with law?

Mr. STALKER. No; I do not remember his making a criticism or using the expression that it was revolutionary; do not remember that he did, though he indulged in some general criticism of the course pursued by the Queen.

The CHAIRMAN. Would you regard the overthrow of a constitution to which the Queen had made oath of allegiance and to which her title to the throne depended, and the substitution in place of that of a constitution of her own making, of her own will, which changed the

rights and powers of the people of Hawaii, as being peaceful or revolutionary?

Mr. STALKER. Certainly revolutionary.

Senator GRAY. I will ask you in that connection: Considering that revolutionary, would you consider the fact that no such proclamation of a change of constitution was actually declared, though intended to be declared, coupled with the fact that there was a declaration from the Queen that she had abandoned all idea of changing the constitution, except in accordance with its terms and requirements, revolutionary?

Mr. STALKER. The substitution of a constitution in any such way would be revolutionary.

Senator GRAY. Read the question.

The question was read as follows:

"I will ask you in that connection: Considering that revolutionary, would you consider the fact that no such proclamation of a constitution was actually declared, though intended to be declared, coupled with the fact that there was a declaration from the Queen that she had abandoned all idea of changing the constitution, except in accordance with its terms and requirements, revolutionary?"

Mr. STALKER. That would admit of a doubt, at least of its being revolutionary.

Senator GRAY. You are asked not a hypothetical question, but a question as to conduct that occurred. The Queen did, according to the evidence, announce her intention of proclaiming, on her own authority, a new constitution; but she never actually did it, but told those who wanted her to do it, and those of the population who were disposed to favor it, that she would defer it. She afterwards issued a proclamation to her people why she abandoned all idea of changing the constitution, except in accordance with its terms and requirements. Taking all that conduct together, do you consider it revolutionary?

Mr. STALKER. I should hardly think it was revolutionary.

The CHAIRMAN. The latter part of that question you certainly would not; that is, you came to the conclusion that the Queen intended to amend it in accordance with existing law?

Mr. STALKER. No; but to change it in accordance with existing law.

The CHAIRMAN. Take the first part of the question, with reference to the methods provided in the constitution of '87, by which the Queen assumed the right to declare the new constitution. Would you regard that revolutionary or a regular proceeding?

Senator GRAY. That is, if she had proclaimed it?

The CHAIRMAN. I speak of her purpose.

Mr. STALKER. Can I answer that in my own way?

The CHAIRMAN. Yes; it is your own way we want; not anybody else's.

Mr. STALKER. The act of imposing a constitution in such a way would certainly be irregular and revolutionary; if she had it in mind to do that thing, but did not do it, in my mind it would not be revolutionary. Have I answered that question?

The CHAIRMAN. Yes. Suppose that the Queen had it in mind, and was prevented only by the fact of an opposing force which she was afraid would overturn her Government, would her motive and conduct be less revolutionary than they would have been had she gone on and accomplished it in the absence of such an opposing force?

Mr. STALKER. The motive might be; the conduct would not be.

Senator GRAY. Are you aware that this constitution of 1887 that the Queen had sworn to support, had been proclaimed by the King in pre-

cisely the same way that the Queen proposed to proclaim the new constitution?

Mr. STALKER. Yes.

Senator GRAY. Without any reference to the Legislative Assembly or to the people at large?

Mr. STALKER. Yes.

Senator GRAY. You have already stated where you were from, and why you were out on those islands—that you had no interest politically, commercially or otherwise in those islands to affect your inclinations or feelings in regard to this matter?

Mr. STALKER. None whatever.

Senator GRAY. You were not a partisan of either side?

Mr. STALKER. No.

Senator GRAY. To what party do you belong in this country?

Mr. STALKER. I am a Republican.

Adjourned until to-morrow, the 26th instant, at 10 o'clock a. m.

WASHINGTON, D. C., *Friday, January 26, 1894.*

The subcommittee met pursuant to adjournment.

Present: The Chairman (Senator MORGAN) and Senator FRYE.

Absent: Senators BUTLER, GRAY, and SHERMAN.

SWORN STATEMENT OF JOHN A. M'CANDLESS—Continued.

The CHAIRMAN. I have examined the paper you handed me, entitled Two Weeks of Hawaiian History, from January 14 to January 28, and I find that it is copied into Mr. Blount's report. Do you agree with the statements in that history as being substantially true?

Mr. MCCANDLESS. I do.

The CHAIRMAN. The proceedings of the meeting which you attended, the mass meeting, as therein set forth are true as therein stated?

Mr. MCCANDLESS. They are true, except as I have noted. There is a typographical error that makes it the 17th where it should be the 16th, and about there being 1,260 present by actual count.

The CHAIRMAN. How many do you think there were?

Mr. MCCANDLESS. My estimate is that there from 1,000 to 1,200. This account of the organization of the government I know to be correct.

The CHAIRMAN. Have you a list of the officers who were engaged in movements against the Queen's government?

Mr. MCCANDLESS. I have a list [producing paper.] That is a partial list of the military officers engaged against the Queen's Government, it being a list of the officers who were in the revolution of 1887.

The CHAIRMAN. Were they in that revolution as officers or privates?

Mr. MCCANDLESS. As officers. I have given their official standing from 1887 to 1890. In 1890 they were disbanded, and the same ones came on the 17th of January, 1893, in support of the revolution.

The paper submitted by Mr. McCandless is as follows:

"EX-OFFICERS OF THE HONOLULU RIFLES IN 1887–'90 AND WHO WERE ACTIVELY CONNECTED WITH THE REVOLUTION OF JANUARY 17, 1893.

"G. F. McLeod, late adjutant; J. H. Fisher, late captain Company B; C. W. Ziegler, late captain Company A; H. Gunn, late captain of ordnance; J. M. Camara, late captain Company C; A. Gartenborg, late captain of ordnance; W. W. Hall, late captain and quartermaster; J. L. Tolbert, late first lieutenant Company A; G. C. Potter, late first lieutenant Company B; J. M. Vivas, late first lieutenant Company C; J. Asch, late second lieutenant Company A; I. A. Burget, late second lieutenant Company A; J. V. Simonsen, late second lieutenant Company A; T. E. Wall, late second lieutenant Company B; A. G. Silver, late second lieutenant Company C.

"In addition to this most of the noncommissioned officers were with us also."

The CHAIRMAN. On page 448 of Executive Document No. 47, House of Representatives, I observe the names of the officers of the Hawaiian Patriotic League; and these persons have also signed a statement which the President sent to the House of Representatives; which statement purports to express the opinions of 8,000 native Hawaiians in regard to the maintenance of the monarchy and annexation of the islands to the United States. I will ask you to state in respect to these persons what their standing is in Honolulu?

Mr. MCCANDLESS. Mr. Cummings is a half-white, whose father left him very well off, and he has practically squandered the whole of the fortune. The next two, Joseph Nawhi and Bush, I would refer you to Minister Willis's report in regard to their characters.

Senator FRYE. What does Minister Willis say of them?

Mr. MCCANDLESS. That they are men of no standing, and that Mr. Bush is of very bad reputation, which I know to be a fact. The others I know; they are men of no standing, and of bad reputation in the Hawaiian Islands.

Adjourned until Monday, the 29th instant, at 10 o'clock a. m.

WASHINGTON, D. C., *Monday, January 29, 1894.*

The subcommittee met pursuant to adjournment.

Present, the chairman (Senator Morgan) and Senators Butler, Gray, and Frye.

Absent, Senator Sherman.

Senator FRYE. Mr. Chairman, I move that the correspondence which has been submitted to Congress since the order under which this committee has been acting, and such as may be sent in before the committee shall have closed its investigation, shall be made a part of this record.

The CHAIRMAN. That is proper.

SWORN STATEMENT OF WILLIAM S. BOWEN.

Senator FRYE. State your business and residence?

Mr. BOWEN. I am a journalist and reside in New York City.

Senator FRYE. You are connected with what paper?

Mr. BOWEN. The New York World.

Senator FRYE. Editorially?

Mr. BOWEN. Mine is a peculiar, unique position. I am the confidential man to the proprietor of the World.

Senator FRYE. Were you sent to the Hawaiian Islands at any time?

Mr. BOWEN. I was, last winter.

Senator FRYE. At what time did you go?

Mr. BOWEN. I sailed from San Francisco on the 31st of March.

Senator FRYE. And arrived in the islands when?

Mr. BOWEN. On the 7th of April.

Senator FRYE. How long did you remain there?

Mr. BOWEN. Until the 26th of April.

Senator FRYE. What was the purpose of your visit to the islands?

Mr. BOWEN. I was sent there by the World merely to study the situation and note the conditions prevailing there. My visit was hastened somewhat by the report that a special commissioner had gone to the islands. I followed him from San Francisco.

Senator FRYE. Do you know what time Commissioner Blount arrived in the islands?

Mr. BOWEN. About ten days before I did.

Senator FRYE. Did you make, as you were instructed to do, an examination into the condition of affairs of the islands at that time?

Mr. BOWEN. I did. I did not stay so long as I had expected to do; but I made an examination to the best of my ability.

Senator FRYE. Did you become acquainted with the members of the Provisional Government?

Mr. BOWEN. I did.

Senator FRYE. What kind of men did you find them to be?

Mr. BOWEN. I found Mr. Dole, the President, to be a man of the highest character. In fact, I was surprised; I had a different impression before I went out to the islands. I found Mr. Dole and most of the members of the Provisional Government to be men who would compare favorably with the best of our public men—Mr. Dole, especially.

Senator FRYE. Did you become acquainted with the Queen's special supporters?

Mr. BOWEN. I did.

Senator FRYE. What estimate did you form of them?

Mr. BOWEN. With one or two exceptions, I found them to partake more of the Polynesian type than that of the Anglo Saxon. I found the Queen's principal adviser to be a man of mixed blood, an amiable, kindly gentleman, but like a child as compared with the others.

Senator FRYE. Who was that?

Mr. BOWEN. Mr. Sam Parker, a happy-go-lucky man, but one who was very kind to me.

Senator FRYE. You may state generally what investigations you made there during the time you were present.

Mr. BOWEN. The policy of the paper to which I am attached is one of investigation, with opposition to annexation. Of course, I wished to follow specially the policy of my paper. I had not been in the islands over twenty four hours before my personal sympathies tended toward the side of annexation. That is, I found a charming place, a beautiful island; I found a little city that compares favorably with any city in the United States, except in the Chinese quarters; I found electric lights, street cars, good police, and the telephone more used in proportion to the population than anywhere else in the world. I found a delightful society. I was entertained a good deal at dinners. The conventionalities of life are more strictly observed there than anywhere

in the United States; that is, you see more people in evening dress than you do anywhere else in the United States, relatively. I found the gentlemen of the Provisional Government of high character, as I stated. I found churches there that reminded me of Massachusetts, in congregations and appearance of things. That made an impression on me in my sentiment, and led me to think that it would be an interesting portion of the United States. The climate is charming for women and children. It is not so tropical as in most of the tropics; it compares with Havana, but not so warm.

That is the sentimental side of my stay at Honolulu. On the other hand, I would state, I was confronted by an economic question on which my mind was not clear—the question of cooly labor. That was the contrary side which raised up when I thought of all the beauties of these islands, and I tried to be impartial.

Senator FRYE. What was the result on your own mind of all your investigations?

Mr. BOWEN. I have not settled the economic question. If the cooly question could be disposed of I think annexation would not be a difficult matter to determine. But I know that sugar is not grown without contract labor; and as cane sugar is the chief and almost main industry of those islands it is a question whether our American people would agree to the conditions that exist with regard to contract labor.

Senator FRYE. Have you read Mr. Blount's report?

Mr. BOWEN. I have.

Senator FRYE. I have not the page; I do not know whether you have or not; but my recollection is that in that report Mr. Blount makes some allusions to you.

Mr. BOWEN. He does.

Senator FRYE. Do you know what they were?

Mr. BOWEN. I have the report with me.

Senator FRYE. Can you read the lines to which I refer?

Mr. BOWEN. Yes.

"No. 3.] *Mr. Blount to Mr. Gresham.*

"HONOLULU, HAWAIIAN ISLANDS, *April 26, 1893.*

"SIR: On the 7th instant the *Alameda* reached this place. Among its passengers were Dr. William Shaw Bowen and Mr. Harold M. Sewall. The San Francisco papers announced that they had refused to say that they were not joint commissioners with myself to Honolulu. The former represented himself to me as a correspondent of the New York World, and said he would be glad to give me any information he could gather here. Thinking it a mere matter of courtesy, I thanked him. On Sunday, the 16th instant, I was out walking and met him on the street, riding in a buggy. He left his buggy in the hands of his friend, Mr. Sewall, and joined me in a walk of some length. Before it was concluded he said to me that he and Paul Neumann were arranging a meeting between President Dole and the Queen, the object being to pay her a sum of money in consideration of her formal abdication of the throne and lending her influence to the Provisional Government with a view to annexation to the United States. He repeated this statement frequently, at intervals, to which I made no response.

"Finally he asked me if I did not think it would simplify the situation very much here and facilitate annexation. Suspecting that my answer was designed to be used to induce the Queen to yield to solicitations to abdicate, I replied: 'I have nothing to say on this subject.' Dr.

Bowen said: 'I did not ask you officially, but simply in a private way.' I responded: 'I am here as a commissioner of the United States and must decline to converse with you on the subject.'

"The next morning early I had an interview with President Dole. I told him that I had seen in the San Francisco newspapers intimations that Dr. Bowen and Mr. Sewall were here as representatives of the President of the United States; that the former told me that he had arranged to bring him and the Queen together on that morning; that I desired to say to him that neither Dr. Bowen nor Mr. Sewall, nor any other person was authorized to act for the Government in that or any other matter relating to the present condition of affairs in the islands save myself; that I did not know absolutely that these two gentlemen had claimed to have such authority. He replied that he had been informed that they were here representing the Government. He did not give his authority.

"He said that there had been some approaches from the Queen's side with propositions of settlement; that he had responded: 'I will consider any reasonable proposition.'

"I told him I would not permit the Government of the United States to be represented as having any wish in the matter of any negotiations between the Queen and the Provisional Government. He asked if I would be willing to authorize the statement that I believed it would simplify the situation. I replied that I was not willing to do this, that I was not here to interfere with the opinions of any class of persons.

"Since this interview with President Dole I have heard that Dr. Bowen, when asked by newspaper people if he represented the President of the United States, declined to answer, saying that all would be revealed hereafter.

"He is representing himself in various quarters as an intimate friend of the President. I can but think that these statements are made to create the impression that he is here authorized to bring about negotiations for a settlement between the Queen and the Provisional Government.

"On the day before yesterday Dr. Bowen came over to my table to say that a meeting between the Queen and President Dole had occurred, and terms were agreed upon. I said I did not care for him to talk with me on that subject.

"On the 21st instant Mr. Claus Spreckels called to see me. He said that he suspected there was an effort at negotiation between the Queen and the Provisional Government, and that he had urged the Queen to withdraw her power of attorney from Paul Neumann. I inclose herewith a copy of that power of attorney (inclosure No. 1) which Mr. Spreckels says was derived through the agency of Mr. Samuel Parker, the last secretary of foreign affairs. He told me that Paul Neumann would leave for Washington by the next steamer, under pretense that he was going to the United States and from there to Japan. How much or how little Mr. Spreckels knows about this matter I am unable to say, as I do not know how to estimate him, never having met him before. He promised to see me again before the mail leaves for the United States on next Wednesday, and give me such information as he could acquire in the meantime.

"I believe that Dr. Bowen, Mr. Sewall, and Mr. Neumann have pretended that the two former knew the opinions of Mr. Cleveland, and assured the Queen that annexation would take place, and that she had better come to terms at once.

"Mr. Neumann leaves here on the next steamer, probably with a

power to act for the Queen, with authority derived from her out of these circumstances."

Senator FRYE. What have you to say in relation to that?

The CHAIRMAN. Mr. Bowen had better take it up in detail instead of making one sweeping remark about the whole of it.

Mr. BOWEN. The first statement to which I wish to call attention is the one published in the San Francisco paper that Mr. Bowen and Mr. Sewall "refused to say that they were not joint commissioners with myself to Honolulu."

The CHAIRMAN. Will you allow me to ask who is Mr. Sewall?

Mr. BOWEN. Mr. Sewall is the son of Mr. Arthur Sewall, of Maine.

Senator GRAY. He was the late consul at Samoa?

Mr. BOWEN. Yes. He is a shipbuilder of Bath. Mr. Sewall was in my company and was purely on a pleasure trip. He had considerable experience in Polynesia, and wanted to go to the islands for the sake of going.

Senator FRYE. You may go on and make your statement.

Mr. BOWEN. As I was leaving San Francisco, just as the steamer was shoving off, a young man came to me and said: "Are you going on a secret mission to the Hawaiian Islands?" I laughed and said, "If I were I would not admit it." Mr. Sewall did not speak. That was based on the fact that Mr. Sewall was going, he having been mixed up in the Samoan affair. The San Francisco Chronicle published the next morning a sensational report to the effect that Mr. Sewall and myself were going out to the islands on a special commission for the Government. It was stated that when I was approached I had declined to give any information. That paper followed on the next steamer to Honolulu, and was circulated there. I did not see it, did not know about it at the time, but it did circulate for a week before my attention was called to it. Mr. Blount became acquainted with it as soon as the paper arrived. Mr. Blount states that I called upon him and represented myself as a correspondent of the New York World, and that I would be willing to give him any information I could gather. In fact, I called on the Commissioner and informed him of my mission to the islands—that I was there as a correspondent to the New York World. Mr. Sewall did not appear in the matter. I went there with the news instinct of a developed journalist. I saw very little to write about the country; it had been covered. There were a great many correspondents there. I conceived the idea of obtaining some very important and very exclusive news. I studied the situation.

I knew before I left here that annexation was undoubtedly impracticable at present—I had very strong reasons for believing that. I always believed that the American people would not believe in the restoration of the Queen. I therefore saw a *status quo* condition there that I thought would continue, and that there was a fine field for making history. I was in company with Paul Neuman going out in the steamer and the Queen's commissioners were just returning from Washington. I became very intimate with them, especially Mr. Neuman. Mr. Neuman had the power of attorney from the Queen. I thought that I heard from authority which was entirely correct that the Queen had a disease of the heart. I had that from a professional source which it would be improper for me to mention; but it came from the best authority on the islands. I heard that she had a disease of the mitral valves of the heart, and that she was liable at any time to sudden death. I thought it was equitable that she should be taken care of. I am only explaining the motives which prompted me to do

what I did. I thought it would be better if the Queen were taken care of. She was generous to her following, and there were many people depending upon her. That made an impression on me. I thought she should be taken care of.

One day while dining with Paul Neuman I said: "I think it would be a good thing if the Queen could be pensioned by the Provisional Government; it would make matters harmonious, relieve business, and make matters much simpler." I also said that I was aware that certain gentlemen in Washington were opposed to pensioning the Queen; that certain Senators raised that objection to the treaty that was brought from the islands because it recognized the principle of the right of a queen to a pension. There was one Senator, especially, from the South, who said, without discussing the treaty, that that was objectionable to him; that his people would object to it. I said, "If there is no annexation it is a serious question; if there is, the Queen should be taken care of." Neuman agreed with me. He was a strong friend of the Queen, disinterested and devoted. But he said it could not be done. I told him that I had become acquainted with the members of the Provisional Government who were high in authority, and I thought I would try to have it done. I had a conference with President Dole. He received me in his usual kindly manner, but he was very wary and noncommittal. Finally he said that he would consider any propositions coming from the Queen—would lay them before the executive council.

I saw Mr. Neuman again. There were several conferences. Mr. Dole said he would not make any propositions himself and asked me what I thought the pension ought to be. On the spur of the moment, not having considered the matter, I said I thought the Queen ought to get a very handsome pension out of the crown lands. I asked if there was any question about raising the money, and he said none whatever. He finally asked me to name the figures. He had the idea that the figures had been suggested. I said, "You ought to give $20,000 a year to furnish her followers with *poi*." That is the native dish. Mr. Dole said he would consider that question. I saw Mr. Neuman and he said he would see the Queen and Mr. Dole. He was to go to see Mr. Dole at his private house, but Mr. Neuman was taken ill and the meeting was deferred. The next time I saw him was at the Government house. The result was that Mr. Dole told Mr. Neuman that if the Queen would make such a proposition to him it would receive respectful attention and intimated that he thought it would be accepted. Mr. Neuman saw the Queen and told me that he thought it would be done; that the more he thought of it the more convinced he was that it would be better all around.

The question of annexation was not specially considered. I said to Mr. Dole, "If you could have annexation you would simplify the matter." I said to the other side, "I do not think you will get annexation, and at the same time I do not think you will get anything else;" but I said, "I think you ought to take care of the Queen." After I had the first meetings with Mr. Neuman and Mr. Dole, I thought I ought to tell Mr. Blount what I had done. I had no secret purpose; nothing in the world but my journalistic scheme. As he stated, I met Mr. Blount one day, got out of my carriage and joined him. We walked together for an hour and a half, and walked back to the city. He said, "Come with me to my cottage." We stood for some time on the piazza and discussed the thing at great length. Mr. Blount was noncommittal, but appeared very much interested, and when I left he told me he

wished me to let him know what I did. He said nothing further to me about it, but went to the Queen and did as he stated in his report. I have no doubt whatever that if Mr. Blount had not prevented, and secondarily Mr. Claus Speckels, the agent for the sugar trust, that plan would have been carried out. I have no doubt of it in my own mind.

Mr. Blount specifies that I was there to facilitate annexation, and all the way through his statement regarding me asserts, or rather intimates, that I was conducting an annexation propaganda. That was a mistake entirely; I was not justified in doing anything of the kind. In the first kind, it would have been contrary to the policy of my paper, a thing which no one attached to the paper would feel at liberty to do; and, in the second place, my own mind was not clear on the subject. While sentimentally clear there were practical objections which I thought I saw. I had no purpose or interest in doing anything to bring about annexation.

The CHAIRMAN. Was this before Mr. Neuman had been to the United States.

Mr. BOWEN. I had been with him and the commission. This was before the treaty. All my associates were royalists; at the islands I received more attention from the royalists than from members of the Provisional Government. These dinners and my predelictions against annexation would have been naturally that way if I had been going for merely personal interest.

The CHAIRMAN. Have you seen the contents of the power of attorney held by Mr. Neuman?

Mr. BOWEN. Yes, I have read it as published in Mr. Blount's report. If Mr. Blount had given me one hint that he regarded it as an impolitic course, that it was embarrassing to him, I would have dropped it. But he said nothing whatever, he simply listened at the first interview, and after that said he would let me know. The next day I reported progress to him, and he did not ask me not to tell him anything more about it. In the meantime he had been to the Queen, to Mr. Dole, and had done what he could to prevent the carrying out of the plan. Mr. Neuman had an interview with the Queen. She told him that she would do nothing more in the matter, and asked him to give back her power of attorney, and he tore it up in her presence. This was the 22d, that he tore up his power of attorney.

There is another matter to which I wish to call attention. Mr. Blount intimates, without specifically charging, that I represented myself and Mr. Sewall represented himself as acting for the Government here and that I represented myself to be a friend of the President. I did not go to anyone whatever and represent myself in any official capacity. Everybody knew that I was a journalist. A reporter called on me and he told everyone who I was. I informed a number of people that I had no official position there whatever. The first one was Mr. Wodehouse, the British minister. He asked me, and I informed him that I had no official position there. I informed the President of the Provisional Government and many others, including Mr. Hastings, who is here in Washington, formerly one of the Hawaiian legation. Honolulu is a hotbed of rumors. It is an isolated community. Really a little New England village is not to be compared with Honolulu, especially during these troubled times. Everyone was suspected of a motive, and there were all manner of rumors afloat regarding everybody. There was a rumor every day in regard to Mr. Blount and his actions, and this mysterious article appeared in the

San Francisco Chronicle after I left there. That caused a good deal of gossip regarding my visit and that of Mr. Sewall.

Senator GRAY. Feeling is pretty high there between the parties?

Mr. BOWEN. Very bitter. Mr. Blount said I represented myself as a friend of the President. On a number of occasions I said I had the honor of Mr. Cleveland's acquaintance, and I was his friend. I was justified in doing so, because I took a very active part during his campaign. I furnished a good deal of political matter for the World, and it is conceded that the World did its share in supporting party politics. I acted for my paper according to its policy. I saw a good deal of Mr. Cleveland at the time of his nomination. Mr. Cleveland gave me a statement to print in the World, which was unique in its line. It was the day after his election. He indorsed the World and its course during the campaign and extended his thanks for it. No other paper had anything of the kind. That Mr. Cleveland gave to me. I was at Buzzard's Bay some time, and he showed me a good deal of favor. I performed a good many small services for him.

Senator GRAY. When you said that you were President Cleveland's friend you meant in a personal way; not that you were representing him?

Mr. BOWEN. Not by any means. I said that I was his friend and represented it that way. I am not a partisan at all. I felt very kindly toward the President, and as the World was very friendly toward him I was justified in saying what I did. I did not make any boasts of that; but in conversation in the islands I spoke of the fact that I was the President's friend.

Senator FRYE. While you were there did Mr. Sewall take any part in the affair of representing himself as having anything to do in the matter?

Mr. BOWEN. Mr. Blount's allegations against Mr. Sewall are absolutely false. We lived together in the grounds of the Hawaiian Hotel in a cottage. I did not take Mr. Sewall in my confidence in this matter; the affair was practically arranged before I hinted to him that it was going on. Mr. Sewall was a high-minded young man; he was devoting himself entirely to society; and without any motive I did not take him into my confidence. Mr. Sewall knew nothing whatever about this matter. The allegation against him was made of whole cloth, and there is no justification whatever for it. Mr. Blount's suspicions led him to make accusations that were not true.

Senator GRAY. Mr. Sewall's name was coupled with yours in that article in the San Francisco paper, was it not?

Mr. BOWEN. Yes. Undoubtedly he was the cause of the whole matter. The fact that he had been consul at Samoa was ground for the suspicion that we were out on a mission. Mr. Sewall had said nothing to anybody; he informed no one, and he certainly took no part in it.

There is another allegation made there which I think is without foundation. He speaks of Mr. Neuman as being a plausible but very unscrupulous person.

Senator GRAY. Mr. Blount says that is the impression he gathered. I think he modified that in another dispatch.

Mr. BOWEN. I did not know of that.

Senator GRAY. Mr. Blount in an early dispatch, in giving information that he thought proper to give to the State Department, spoke of Mr. Neuman, and said, from what he could gather, he was plausible but unscrupulous; but in another dispatch, after he had gathered

further information, said that when he came to have further intercourse with the people he thought differently of Mr. Neuman.

Mr. BOWEN. I am very glad he did. He was a devoted friend of the Queen.

Senator FRYE. Then he would not have cheated her?

Mr. BOWEN. No; he thought this the best plan. And if it had taken place, there would have been a saving of all the subsequent trouble.

Senator FRYE. Is there anything else in the report to which you desire to call attention?

Mr. BOWEN. Nothing, except to say that I did not represent myself as being there in a diplomatic capacity; that I was there simply as I have represented to this committee—as a journalist. Mr. Blount states that in his report. I was not conducting any annexation propaganda; I had no such purpose; and Mr. Sewall took no part in the matter, and knew practically nothing about it.

Senator FRYE. Are there any facts connected with the affairs of the Hawaiian Islands which you desire to state?

Mr. BOWEN. Only impressions. I was not there during the revolution. I was informed by numbers of the Provisional Government, in response to questions, that the American minister did not conspire to overthrow the Queen. I was informed that he did practically as he has stated in his own report. I was told so under certain circumstances and there was no reason for deceiving me.

Senator FRYE. Did Paul Neuman make any claim that the minister interfered to destroy the royal government?

Mr. BOWEN. He did not. Paul Neuman is a good-natured man, personally not prejudiced against anybody, that is, individuals; but he disliked the so-called "Missionary Party" there and the Annexation Party, and he included Mr. Stevens among them. Paul Neuman was always consistent. He was always a friend of the Queen, and he was head and shoulders intellectually above any others of her supporters. He was intelligent enough to form opinions during his stay here in Washington, and to see that there were great difficulties in the way of restoration; and while he did not commit himself to me on the subject, he thought that this course for pensioning the Queen would be the best for all concerned.

SWORN STATEMENT OF M. STALKER—Continued.

Senator GRAY. You have already been sworn, and you have read over your testimony given the other day. Have you any special correction to make?

Mr. STALKER. No; nothing special.

Senator GRAY. There was another point about which you spoke to me after having read over your testimony. It was in regard to a question that had been asked you, a point which you had touched upon, as to impressions which you derived from those who were supporters of the Provisional Government. In regard to the impression that prevailed with regard to the ability of the supporters of the Provisional Government to maintain themselves without the aid of the United States troops. Have you anything more to say on that subject?

Mr. STALKER. I did receive the impression from that source that the Provisional Government would not have been able to maintain

itself and keep its supporters, or, rather, its defenders, together without the cooperation of the United States troops.

Senator GRAY. Do you mean that you gathered that impression from those who were favorable to or supporters of the Provisional Government?

Mr. STALKER. Yes.

Senator GRAY. Was the impression gathered that the movement they made depended on the presence of those troops for encouragement, morally or otherwise?

Mr. STALKER. I can not say that I was told that the original movement depended upon the presence of the troops, but rather their ability to maintain their hold without the presence of the troops after it had been acquired.

Senator GRAY. It was with reference to that?

Mr. STALKER. Yes; with reference to that, especially.

Senator GRAY. Is there any other point on which you wish to be more explicit?

Mr. STALKER. I might say that I received these statements definitely from one or two members of the Provisional Government, or, at least, active supporters and cooperators.

Senator GRAY. Will you be good enough to state what opinion or impression you got when you went there as to the ability of the existing Government to maintain peace and order and protect life and property?

Mr. STALKER. I never heard that fact called in question.

Senator GRAY. You mean the fact of the ability of the Government?

Mr. STALKER. The fact of the ability of the existing Government to maintain order and protect life and property. In fact, I have heard it repeated by citizens of the country, without respect entirely to their political affiliations, that there is no part of the civilized world where life and property were so secure as in that country.

Senator GRAY. Would that tally with your own observation during the weeks that you were there before this revolution?

Mr. STALKER. Yes; I think it would.

Senator GRAY. Was there any evidence of any disorder up to the landing of troops on that Monday, the 16th of January—any disorder or feeling of insecurity?

Mr. STALKER. None whatever that I observed.

Senator FRYE. What are you professor of?

Mr. STALKER. I am professor of veterinary science.

Senator FRYE. Veterinary surgeon?

Mr. STALKER. Yes.

Senator FRYE. Where did you live when you were in the islands?

Mr. STALKER. At the Hawaiian Hotel?

Senator FRYE. That is the royalist hotel?

Mr. STALKER. Yes.

Senator FRYE. Did Mr. English live there at the same time?

Mr. STALKER. Yes.

Senator FRYE. Were you and Mr. English on intimate terms?

Mr. STALKER. No.

Senator FRYE. You were not?

Mr. STALKER. I can not say that we were.

Senator FRYE. Did you not have daily conversations with him?

Mr. STALKER. No.

Senator FRYE. Did you not ultimately suggest to him that he come over and become a professor in the college where you were?

Mr. STALKER. There was a party suggested it. I did not suggest to Mr. English, nor he to me, about coming here.

Senator FRYE. Was anything said about Mr. English coming over and becoming a professor?

Mr. STALKER. We had some talk; yes—at least, I should say Mr. English made application to me with the view of securing a place; but I gave him no encouragement to think that he could secure a place.

Senator FRYE. Did you state to anybody here that when you were at the Government buildings on the day that the proclamation was made you saw paraded in front of the Government buildings the American troops with their arms?

Mr. STALKER. I think not.

Senator FRYE. Anything of that kind?

Mr. STALKER. I think not.

Senator FRYE. Were you not informed that that statement could not be correct, because the testimony showed conclusively that the troops were back of Arion Hall, and were not in view of the Government Building?

Mr. STALKER. I think my testimony was to the effect that the troops were in line with their arms.

Senator FRYE. I was not asking what you testified to. I asked you whether or not, previously to testifying before this committee, you stated to any one that our American troops were in front of the Government Building, drawn up in front of the Government Building with their guns, when the proclamation was being read?

Mr. STALKER. I did not.

Senator FRYE. Anything of that kind?

Mr. STALKER. No; neither here nor elsewhere.

Senator FRYE. And you were not told by anybody that that would not do, because the testimony showed that they were in the back yard of Arion Hall?

Mr. STALKER. No. Your statement is the first that I heard of any such suggestion.

WASHINGTON, D. C., *Tuesday, January 30, 1894.*

The subcommittee met pursuant to adjournment.

Present: The chairman (Senator MORGAN) and Senators GRAY and FRYE.

Absent: Senators BUTLER and SHERMAN.

SWORN STATEMENT OF P. W. REEDER.

The CHAIRMAN. Where do you reside and what is your age?

Mr. REEDER. I am 68 years of age and I reside at Cedar Rapids, Iowa

The CHAIRMAN. Have you been in the Hawaiian Islands recently?

Mr. REEDER. I have.

The CHAIRMAN. When was that?

Mr. REEDER. Last winter.

The CHAIRMAN. How long a time did you stay there? Why did you go and when did you come away?

Mr. REEDER. I do not remember the dates; but it was during the months of November, December, January, and February.

The CHAIRMAN. Had you ever been there before?

Mr. REEDER. No.

The CHAIRMAN. I suppose you were there as a tourist?

Mr. REEDER. Yes.

The CHAIRMAN. Did you spend much of your time in Honolulu or through the islands?

Mr. REEDER. Most of the time in Honolulu.

The CHAIRMAN. In what month did you get there?

Mr. REEDER. I was there fifteen weeks in all, not quite four months.

The CHAIRMAN. When you got there in November, did you ascertain or know whether there was any political excitement amongst the Hawaiian people?

Mr. REEDER. None that appeared on the surface.

The CHAIRMAN. Was there any question of grave importance politically that was under discussion among the people?

Mr. REEDER. There was not. When you went to the state house you could see there was friction between the parties.

The CHAIRMAN. What parties?

Mr. REEDER. They are divided there between what is called the native party and the missionary party. The missionary party now does not mean missionary *per se*—persons who go there to teach religion—but it is a party that has received that name because it is opposed to native rule.

The CHAIRMAN. Native rule or monarchical rule?

Mr. REEDER. That means native rule.

The CHAIRMAN. What particular measures were under discussion upon which these parties were divided?

Mr. REEDER. One thing which was in the Legislature there, and which gave rise to a good deal of ill feeling, was the discussion of the opium bill, and then the discussion of the lottery scheme. There were some men pushing their interests there—scheming for some sort of license to indulge in the practice of lottery.

The CHAIRMAN. Do you know who those men were—any of them?

Mr. REEDER. I did not know them; no. They were men, as I understand, from New Orleans.

The CHAIRMAN. Did you get the names of any of them?

Mr. REEDER. No, I did not.

The CHAIRMAN. But they were there for the purpose of pressing their plan for getting a charter, I suppose, for the lottery scheme?

Mr. REEDER. Yes.

The CHAIRMAN. Did you understand that it was a part of the scheme that had been conducted in New Orleans?

Mr. REEDER. I understood that they were there for that same purpose.

The CHAIRMAN. Did the subject lead to much discussion among the people?

Mr. REEDER. It did; yes.

The CHAIRMAN. Was it acrimonious?

Mr. REEDER. Yes.

The CHAIRMAN. Fierce, was it?

Mr. REEDER. Yes. Before the matter was adjusted finally the ladies thought they could intercept it between the time it passed the legislature and the time the signature was given by Liliuokalani; the Queen—thought they could intercept it by petition, and you could see by the

tone of the people there that it had produced a good deal of violent feeling upon the part of those English-speaking people there.

The CHAIRMAN. They were opposed to it?

Mr. REEDER. Yes.

The CHAIRMAN. How did the native Kanaka population seem to be disposed toward it?

Mr. REEDER. I could not understand very much about that, because I could not speak their language. But they quietly acquiesced in it.

The CHAIRMAN. I suppose they are a quiet kind of people?

Mr. REEDER. Yes.

The CHAIRMAN. Disposed to acquiesce in matters that they can not easily reverse or prevent?

Mr. REEDER. They would rather lie down and enjoy themselves under a tree than engage in any industry—as a rule.

The CHAIRMAN. They have not the energy or the scope of the Anglo-Saxon, the Frenchman, German, or Portuguese?

Mr. REEDER. No.

The CHAIRMAN. Who, did you understand, was promoting this lottery scheme amongst the governing authorities there, the cabinet, the Queen, and any other persons?

Mr. REEDER. The native names there are so strange that I did not get the names, but I understood it was a good many of the house or the legislative body—the native men of the legislative body. I understood further that there was this about it: it was for the purpose of relieving themselves—creating a revenue—relieving themselves from debt and creating a source by which some money could be obtained. I believe that was the reason assigned by the Queen—that she had to have it to get more money.

The CHAIRMAN. On the part of the Queen you understood it to be a revenue measure?

Mr. REEDER. Yes.

The CHAIRMAN. Do you remember what offers they made in order to induce the Government to grant the charter?

Mr. REEDER. No, I do not remember. I will say another thing in that connection: In the Legislature it was bandied back and forward among the natives that they had been bribed. There are two houses there, the house of commons or representatives and the house of nobles, and they would get into heated debates, and one would cast up to the other that they had received bribes.

The CHAIRMAN. Did they have an interpreter there?

Mr. REEDER. Yes. A native would make his speech in his native language and then the interpreter would repeat it in English.

The CHAIRMAN. Did you attend the meetings of this Legislative Assembly?

Mr. REEDER. Oh, yes.

The CHAIRMAN. You spoke of two Houses. You do not mean they were separate bodies?

Mr. REEDER. No; they all met together, but they were designated as such—House of Nobles and House of Representatives.

The CHAIRMAN. They sat together?

Mr. REEDER. Yes.

The CHAIRMAN. Were these accusations of bribery and corruption freely made in the House?

Mr. REEDER. Yes; especially when the debate would go along until it became heated.

The CHAIRMAN. So that the men who were resisting the grant of

this concession to the lottery people were charging the other side with bribery and corruption, if I understand you?

Mr. REEDER. The natives would do it among themselves.

Senator FRYE. Charge each other?

Mr. REEDER. Yes.

The CHAIRMAN. But I understand the accusations came from those who were opposed to the granting of the lottery charter.

Mr. REEDER. Yes.

The CHAIRMAN. They charged that those persons who were promoting or advancing this lottery scheme were bribed?

Mr. REEDER, Yes; that was the charge,

The CHAIRMAN. Did those charges produce any collision amongst those people?

Mr. REEDER. No; not that I saw.

The CHAIRMAN. Was there much anger exhibited?

Mr. REEDER. Yes; a good deal.

The CHAIRMAN. How did you understand that the Queen and cabinet were disposed toward this lottery business?

Mr. REEDER. I do not know that I could give you an intelligent answer in regard to that.

The CHAIRMAN. I mean what you gathered from general reputation in the community. Was it understood that the Queen and her cabinet—I mean the first cabinet that was there while you were in the islands—or the later one?

Mr. REEDER. This came up for action in the last days of the Legislature. You see the council, the legislative body, sat from May for about eight or nine months, I guess, and this was during the time I was there, and I did not get there until November.

The CHAIRMAN. Did you find this subject rife when you got there?

Mr. REEDER. No; but it was soon developed.

The CHAIRMAN. And the movement was made in the Legislature?

Mr. REEDER. Yes.

The CHAIRMAN. Did you understand that the cabinet which was there when you got there—the Wilcox-Jones cabinet—was favorable to or opposing this lottery bill?

Mr. REEDER. I did not know about that. The trouble that arose about the Wilcox-Jones cabinet arose mainly from some other things.

The CHAIRMAN. What were they? Proceed and state those other things to which you refer.

Mr. REEDER. As I understand the history (and I learned it from them) there had been constant friction there over this thing which they had conceded in the constitution of 1887.

The CHAIRMAN. You do not mean that they had conceded the lottery?

Mr. REEDER. No; that lottery business was developed after I got there.

The CHAIRMAN. Go on and make your statement.

Mr. REEDER. Up to 1887 they had a constitution which granted to the kings (who were the five Kamehamehas and Lunililo, who followed them) this thing that they had conceded, which was the appointing power of the house of nobles, which house of nobles represented one-third of the body. This body was, I think, about 52 members, and 17 of them belonged to the house of nobles. The King, Kalakua, had surrendered that right. They made that elective—of the house of nobles 17 members were made elective by the people. But they had made another property qualification—I mean these two parties to the constitution—which was that any man who could prove that he had $600 income, either from his

own personal efforts or something that grew out of some investment he made, could exercise the right of suffrage or could vote for a member of the house of nobles.

The CHAIRMAN. Did you find when you got to Honolulu that the question of returning to the old régime—the old method of appointing nobles—was one of the subjects under discussion by the people?

Mr. REEDER. Yes, sir; that was it.

The CHAIRMAN. Who was contending for that?

Mr. REEDER. The Queen and native party.

The CHAIRMAN. You speak of the native party. Do you mean all the natives?

Mr. REEDER. Let me explain that. The heads of the departments were Americans or the decendants of Americans, and their employés, as a rule, were natives.

The CHAIRMAN. You are speaking of the Queen's cabinet?

Mr. REEDER. No; I am speaking of the heads of the departments.

The CHAIRMAN. These were appointed by the Queen's administration?

Mr. REEDER. The heads of the departments?

The CHAIRMAN. Yes.

Mr. REEDER. I do not know how they got their appointments.

The CHAIRMAN. They were not elected by the people?

Mr. REEDER. No.

The CHAIRMAN. Therefore they must have been appointed by the Crown or the Legislature. I suppose they were appointed by the Crown.

Mr. REEDER. I do not know about that—how they received their appointments. The men who were in the employ were, as a rule, favorable to the Government; that is, the government which had found its authority in the constitution of 1887. Then you will find a good many Americans who were doing business in the city, and who, if they had clerks, as a rule those clerks would talk for the Government. That was the native part that was talking for the Government and that part of the natives. That is my experience.

The CHAIRMAN. I suppose you do not know, not being acquainted with any of the people, what was the sentiment among the common, ordinary Kanakas on that question?

Mr. REEDER. Yes; I do.

The CHAIRMAN. State how you found it.

Mr. REEDER. The larger body of the native people talked for native rule, and felt aggrieved because it had passed into the hands of the Americans. I had two sources of information: There was one place situated on the corner of Nuuanu avenue and Beretania street, which had been in the early years a place of resort for the Crown or Government. It was called Emma House or Emma Square. It is now occupied particularly as the headquarters of the common Kanakas. That is one of the places where I daily went. They keep a sort of reading room, and the natives would gather to discuss their affairs, and I could hear the sentiment there of a good deal of the middle or lower classes of Kanakas.

The CHAIRMAN. Did a good many of them assemble there?

Mr. REEDER. Yes; a good many.

The CHAIRMAN. Who spoke English?

Mr. REEDER. Yes; a good many who did. Then I made it a subject of inquiry; if any man was a prominent man, I asked what he said.

The CHAIRMAN. What purpose had you in studying these problems of politics in Hawaii?

Mr. REEDER. That is one of the things I like, to find out what is going on.

The CHAIRMAN. Was that the purpose for which you were there?

Mr. REEDER. I write sometimes for the newspapers.

The CHAIRMAN. Are you a correspondent for a newspaper?

Mr. REEDER. I could not say that I was a hired correspondent; I wrote some articles and sent them home.

The CHAIRMAN. What paper did you send them to?

Mr. REEDER. I sent them to our papers. I am quite well acquainted with the people of the Cedar Rapids Republican and the Cedar Rapids Times.

The CHAIRMAN. Then you were gaining information for the purpose of being able to write those letters to the newspapers?

Mr. REEDER. Yes; I do not want to say that, but it was one of the things I looked to.

The CHAIRMAN. But you had no connection politically with any thing in Hawaii?

Mr. REEDER. No.

The CHAIRMAN. No business connection with anybody?

Mr. REEDER. No; not a thing above ground.

The CHAIRMAN. Simply a tourist looking over the country?

Mr. REEDER. Yes.

The CHAIRMAN. Do you think from the people you heard speaking at this meeting room which you have mentioned, and your imperfect knowledge of the Hawaiian tongue, you could gather the real sentiment of the Kanaka population on the subject of this lottery?

Mr. REEDER. I do not know whether I could say that much or not. I do not understand that the lottery business was extensively discussed amongst them—that is, the middle and lower classes.

The CHAIRMAN. Those you heard speak of it, were they in favor of or against the lottery?

Mr. REEDER. Some of them—they were divided; I think a good many of them were opposed to it.

The CHAIRMAN. I suppose it was really a question between public morality and governmental revenue?

Mr. REEDER. Yes; those were the points.

The CHAIRMAN. The white people, men of business and men of property, were opposed to using that scheme for the purpose of raising revenue?

Mr. REEDER. I think so; I think that was true.

The CHAIRMAN. On moral grounds?

Mr. REEDER. Yes.

The CHAIRMAN. Did you detect any other movement, or anything in what they did or said to indicate that they had any purpose of trying to deprive the Hawaiian people of any just right that they might wish to enjoy, and from which they might derive a profit; or were they really in good earnest in trying to preserve proper morality in the administration of Government?

Mr. REEDER. I had no reason to suspect that they were dishonest. I had no reason to suppose that they opposed the scheme of lottery on any other grounds than that. It might have been to the Government a source of revenue; but they opposed it somehow or other.

The CHAIRMAN. There was an opium bill pending before that Legislature while you were there?

Mr. REEDER. Yes.

The CHAIRMAN. What did you gather from common report and common rumor as to the purposes and provisions and charcteristics of that bill?

Mr. REEDER. That followed very much the same train of thought. The people were divided on it for about the same reasons—for the same purposes on both sides.

The CHAIRMAN. I suppose the purpose of introducing opium there was to cater to the habits of the Chinese who were there?

Mr. REEDER. It was freely talked there that they would be great patrons. In fact, they had several places open then for the purpose of administering the drug.

The CHAIRMAN. Is there a Chinatown in Honolulu?

Mr. REEDER. Yes; distinctively so.

The CHAIRMAN. Like it is in San Francisco?

Mr. REEDER. Yes; the same as they have in San Francisco.

The CHAIRMAN. Are there many Chinese collected together in that part of the city of Honolulu?

Mr. REEDER. Pretty much all the Chinese there are in that part of the city.

The CHAIRMAN. Crowded together in that area [indicating on map]?

Mr. REEDER. Yes.

The CHAIRMAN. Have you been in Chinatown frequently?

Mr. REEDER. Yes, frequently.

The CHAIRMAN. What would you say as to the number of persons congregated there?

Mr. REEDER. It would be a mere guess, but I would say to you I suppose perhaps 3,000. That is the west there, and Chinatown proper is on the west side of Honolulu. There is one street there as a rule, which divides them. Of course there are persons scattered around one place or another who are Chinamen, but off in this direction toward the Kamehameha Museum——

The CHAIRMAN. Is that toward the east or west?

Mr. REEDER. Toward the west; it is west of Nuuanu avenue, principally along in this direction. They are from right back here where the ground falls off [indicating]. Then there is out here what is called the Insane Asylum. In this direction here there is a great scope of land which winds around what is called the Receiving Hospital, and all this here is covered with rice plantations and vegetable patches. That is largely made up of Chinese. This portion of the town—I do not know whether it comes up so far; I think it is one street west——

The CHAIRMAN. Then you would say that this portion of the town between Smith street and the western boundary of the town is occupied largely by Chinamen?

Mr. REEDER. Yes. Then in the town there is an area on Nuuanu avenue. This [indicating] is occupied by tailors, by shoemakers, by butchers, who cater to the wants of the people.

The CHAIRMAN. Of the Chinese?

Mr. REEDER. Yes; and all who choose to patronize them.

The CHAIRMAN. What do those Chinese in Honolulu seem to be principally engaged in for a living?

Mr. REEDER. The great body of the Chinese are out on the sugar plantations.

The CHAIRMAN. I speak of those in Honolulu.

Mr. REEDER. Those in Honolulu are engaged there in rice culture or as vegetable growers, and those that are right in the city proper are

engaged in the tailoring business largely, and the shoemaking business. It is principally taken up by shoemakers and tailors and merchants and restaurant keepers.

The CHAIRMAN. They have little shops and stores?

Mr. REEDER. Yes.

The CHAIRMAN. As a rule, are the Chinese people an orderly and well-behaved people?

Mr. REEDER. Yes.

The CHAIRMAN. Fond of gambling?

Mr. REEDER. Oh, yes; that is one of their industries.

The Chairman. Do they have opium joints amongst them?

Mr. REEDER. They have a few, but as a rule not public. It is not a business recognized there.

The CHAIRMAN. The law opposes it?

Mr. REEDER. I could not say that; I think likely—I do not know about that.

The CHAIRMAN. But it is a business not openly adopted?

Mr. REEDER. No; not on a front street. It is a place usually a little off, very small place. I understood that there were two or three of them in town.

The CHAIRMAN. In passing through Chinatown in Honolulu, did you gain the idea that the Chinese were contributing much to the moral support and advancement of Hawaii, or was the tendency the other way?

Mr. REEDER. I did not gather very much about it. They behave themselves. They are not very much in the police court, and they have not to be dealt with very much.

The CHAIRMAN. Do they take anything like an active, strong, prominent position like the white race in Honolulu?

Mr. REEDER. They do not.

The CHAIRMAN. They are there like they are everywhere else where they are assembled—where you have seen them in this hemisphere—people who seem to be devoting themselves to their own callings, indulging themselves in their habits of gambling and opium smoking, and such like?

Mr. REEDER. They are just like they are in San Francisco.

The CHAIRMAN. Are there any public moralities conducted amongst them?

Mr. REEDER. I could not answer that. I have no knowledge that I know of. I will say they have a joss house there, and then they have what is called a Young Men's Christian Association, and they make some effort of improving their people.

The CHAIRMAN. Would you think that the free introduction of opium amongst those people would create any insecurity as to the peace and order and proper government of the islands?

Mr. REEDER. The Chinese would be principally the patrons of such places. I do not know that that would create much disorder. They go to those places and have their smoke out and their debauch and then go away. After the debauch is over they go about their business on the street; there does not seem to be very much about it.

The CHAIRMAN. Do you think the better classes of Honolulu were putting themselves to unnecessary trouble in trying to prevent the introduction of opium into that city?

Mr. REEDER. No; I think it was pushed principally by the native men in that Legislative Assembly.

The CHAIRMAN. You mean the measure to license the introduction of opium?

Mr REEDER. Yes. It was done largely for revenue for the islands.

The CHAIRMAN. Did you gather from the people there that they thought that was a rather dangerous enterprise for the public morality and the maintenance of the law?

Mr. REEDER. Yes. The men who were opposed to it were opposed to it from those considerations.

The CHAIRMAN. Were they very earnest about it?

Mr. REEDER. They seemed to be. The ladies were more earnest than anybody else.

The CHAIRMAN. I suppose they were fearing the demoralization of their sons.

Mr. REEDER. I think that was amongst the things. They had a large petition. You could see by the names on it that they were Americans—at least, not Chinese.

The CHAIRMAN. Did you see any demonstration amongst what we call the white population in Hawaii—Americans, Germans, English or what not—that seemed to lead in the direction of the demoralization of those people or the imposing upon them of unjust or improper restrictions of law?

Mr. REEDER. I think I can say that I did see some things which I opposed very much all my life. For instance, there is this: there are a good many white men who are living there with Kanaka women to whom they are not married—a good many of them. But I do not know of any leading legislator or any leading man there who had his family with him who was addicted to this practice.

The CHAIRMAN. Can you say that any such irregularities of life as those to which you have alluded have received partial encouragement or even toleration on the part of what we call the white population?

Mr. REEDER. By a good many of the middle and lower classes. Do you consider that former question was answered? I would divide that question. Let it be read until I say stop.

The question was read as follows:

"Did you see any demonstration amongst what we call the white population in Hawaii—Americans, Germans, English, and what not—that seemed to lead in the direction of the demoralization of those people?"

Mr. REEDER. From that last sentence—"demoralization of those people." There are a good many men there living with Kanaka women to whom they are not married. Some of them were living there long enough to have families by them, and still recognize themselves as not married—and still recognize that the marriage vow was not obligatory upon them. That was true of a good many of the Chinese; they were living with the Kanaka women, and so were some of the Portuguese. I do not think these practices obtain amongst the better elements of the population of Honolulu, or that they were tolerated or encouraged by them.

The CHAIRMAN. In the discussions that you heard there among the people, do you remember whether the question came up as to the necessity of getting rid of the cabinet in order to be able to carry this opium bill and this lottery bill into effect?

Mr. REEDER. I do not think that there was. The main thing that they had there troubles on was another issue. The Queen was struggling to get the ascendency for the purpose of promoting these things—a return to the native rule, already explained.

Senator FRYE. That is, the Queen and her people were trying to get rid of the constitution of 1887, which imposed restrictions upon her and her cabinet?

Mr. REEDER. Yes.

Senator FRYE. Was this opium bill and this lottery bill part of the campaign—to get the Kanaka population to do away with the constitution of 1887?

Mr. REEDER. I do not think they had any design of that kind. I think those two bills were for revenue. I think it was said by the Queen that she was embarrassed and the Government was embarrassed on account of its debt.

The CHAIRMAN. Did you understand that the debt was a very large one?

Mr. REEDER. Yes, it was large for that place. It amounted to almost $4,000,000—when pay day for the interest came it would amount to very nearly $4,000,000.

The CHAIRMAN. I suppose you are not familiar with the facts in regard to the burden of taxation in Hawaii, to know upon whom it falls?

Mr. REEDER. Fell upon the property.

The CHAIRMAN. Who owned the property—I mean, of course, the property that would yield revenue?

Mr. REEDER. I think there was a large amount gathered from the sugar plantations.

Senator FRYE. The chairman asked who owned the property. Did not the white men own nine-tenths of it?

Mr. REEDER. I think so; yes, eight-tenths.

The CHAIRMAN. Do you know any Kanakas or half-whites who owned any large sugar estates?

Mr. REEDER. No; but there were men in business there who were half-whites, who owned stock in some of those companies.

The CHAIRMAN. But, if I gather your idea, the great burden of taxation rested upon white men who owned the property?

Mr. REEDER. Yes.

The CHAIRMAN. Did you see any disposition or detect any disposition amongst those people to do, or to attempt to do, anything else than protect themselves against unjust legislation, legislation that was wicked in its character, and that tended to break down the authority of law and good morals?

Mr. REEDER. I do not know that I could interpret the action of the white people as having anything to do especially in that direction.

The CHAIRMAN. Have you any personal knowledge of the facts that tended toward the recent revolution?

Mr. REEDER. I have some, gathered in the way that we have been talking about.

The CHAIRMAN. You were there an observer.

Mr. REEDER. Yes.

The CHAIRMAN. Were you in the Legislature—I mean the hall where the Legislature sat—on the Saturday that it was prorogued by the Queen?

Mr. REEDER. I was not; no.

The CHAIRMAN. You were not there at that time?

Mr. REEDER. I was not there at 12 o'clock; no.

The CHAIRMAN. Did you go to the Government building that afternoon?

Mr. REEDER. No; I was not in the Government building; I was there in the vicinity.

The CHAIRMAN. At what time did you first get the impression that the political movement that had been started in Hawaii or in Honolulu would result in dethroning the Queen and the establishment of a new government?

Mr. REEDER. I had no means of knowing. Things moved along pretty rapidly. I had no means of knowing when that point arrived—when she would be dethroned.

The CHAIRMAN. That does not answer my question. I want to know when you first heard the rumor that there was a movement on foot to dethrone the Queen.

Mr. REEDER. I absolutely did not get that impression until Tuesday; it did not develop itself until Tuesday, the 17th.

The CHAIRMAN. What was the information which you received on Tuesday, which you say led you to the conclusion that there was a revolution on foot which would result in dethroning the Queen?

Mr. REEDER. On Tuesday the proclamation for a new government was read.

The CHAIRMAN. Was that the first information that you had about it?

Mr. REEDER. I had been keeping track of it all along, but that was the first information that I secured that was evidence to me that the Queen was to be dethroned.

The CHAIRMAN. I suppose you would say that that was the first time you believed or felt that the movement was really a serious one?

Mr. REEDER. Yes; that was the first time.

The CHAIRMAN. Although, I believe from your statements, you had heard some intimations of it or discussion about it?

Mr. REEDER. No; I heard no intimation.

The CHAIRMAN. Nothing at all?

Mr. REEDER. Nothing at all; because the meetings of the committee of safety were kept secret, and at that meeting on Monday afternoon at 2 o'clock there were certain speeches made in which there was not an intimation of any kind that I could gather that they were designing anything of that kind.

The CHAIRMAN. You heard those speeches?

Mr. REEDER. Not all of them.

The CHAIRMAN. You heard some?

Mr. REEDER. Yes.

The CHAIRMAN. Did you mix in the crowd?

Mr. REEDER. I was around and amongst the crowd.

The CHAIRMAN. How many English-speaking people did you hear converse?

Mr. REEDER. There were two meetings. You are speaking of the one conducted on the part of the revolutionists?

The CHAIRMAN. Yes.

Mr. REEDER. They were pretty much all English-speaking people.

The CHAIRMAN. You did not gather, if I understand you correctly, at that meeting, from speeches or conversations that you heard in the crowd, that the movement to dethrone the Queen at the time of that meeting was a serious one?

Mr. REEDER. No; I did not gather that they had determined on that project at that time. In fact, there was nothing said of it in the seven speeches. After the seven speeches, all went along in the line of complaints.

The CHAIRMAN. Of what?

Mr. REEDER. Complaints that the Government of the Queen was not a suitable Government; that she had been refusing all along to keep within bounds of the authority of the constitution.

The CHAIRMAN. Of the constitution of 1887?

Mr. REEDER. Of 1887—that there had been, I think they said, seven uprisings in five years of one kind or another—I could not particularize what they were, and that the Government was not a stable one; that she could not give one; that there was too much friction. That was the line of the speeches.

The CHAIRMAN. Did you hear any statements made by the speakers, or did the persons in the crowd make any, to the effect that the Queen had attempted to abrogate the constitution of 1887 and substitute for it one of her own?

Mr. REEDER. I heard nothing except what grew out of the talk. She got up on the portico of Iolani palace——

The CHAIRMAN. You did not hear that; you were not there.

Mr. REEDER. You are speaking of what I know personally?

Senator GRAY. And impressions that you gathered from actual contact with the people.

The CHAIRMAN. In this public meeting, in this crowd in which you mixed, did you hear any statement as to a matter of fact that the Queen had attempted to abrogate the constitution of 1887 and substitute for it one of her own getting up?

Mr. REEDER. Yes; that was the talk in that meeting—that was part of the complaint.

The CHAIRMAN. Was there any complaint in those speeches about the opium bill and the lottery bill?

Mr. REEDER. Yes, they were talked of, too.

The CHAIRMAN. Was anything said about voting out the cabinet?

Mr. REEDER. Yes, that was talked of, too. That was part of the complaint.

The CHAIRMAN. A sort of enumeration of grievances?

Mr. REEDER. Yes. The speeches were not very long. The whole meeting did not last to exceed an hour and a half. They opened at 2 o'clock and adjourned at a half after 3.

The CHAIRMAN. That was before you formed a definite conclusion that there was to be a revolution there?

Mr. REEDER. Yes. I was not informed that they were going to overturn the Government. On Tuesday afternoon I came to the conclusion that there was going to be something done. As I understood it, they read from the steps of the Government building this proclamation——

Senator FRYE. Were you there?

Mr. REEDER. No; I was not right there.

The CHAIRMAN. Were you out in view of Iolani Palace at the time the Queen was up on the palace somewhere, the portico, and presented some constitution and made some speech to her people?

Mr. REEDER. I was near there, but I could not understand the language; she did not present a constitution; she made a speech.

The CHAIRMAN. Was there a large crowd about the Queen at that time?

Mr. REEDER. The crowd in both places seemed just about alike as to numbers.

The CHAIRMAN. I spoke of that occasion. Was there a large crowd about Iolani Palace at the time the Queen appeared on the portico—whatever you may call it?

Mr. REEDER. I do not know what you call a large crowd. It is only a guess; there might have been 1,200 to 1,300 people there.

The CHAIRMAN. Did you see any military array, any troops drawn up in line under arms?

Mr. REEDER. No.

The CHAIRMAN. Was the crowd to which the Queen was speaking excited?

Mr. REEDER. I do not know; they did not seem to be; there was a good deal of earnestness about it.

The CHAIRMAN. Did the Kanaka population exhibit any more excitement than the balance of the people?

Mr. REEDER. I did not see it. The truth of it was there was nothing but the Kanaka population there, I guess.

The CHAIRMAN. Have you any special knowledge about what occurred in Honolulu during the period of that revolution? I would like to know what you know about it; what your observations were.

Mr. REEDER. At between 2 and 3 o'clock on Tuesday afternoon the proclamation was read. Now I was not there at that, but I was out where I could see a good deal of a crowd. There was only a handful there, comparatively, to me. And then following that the marines came up and took their station near the premises, or near, between the two houses a little away from the gates. There were three roads that came up from the west end of the town, and is a pretty large three-cornered square, is there, and they took possession of the square—each of the three roads up into the city. That was on Monday.

Senator GRAY. In the afternoon?

Mr. REEDER. Afternoon—close to 5 o'clock—late in the afternoon. They took their position there.

Senator FRYE. You did not see any marines paraded on Tuesday?

Mr. REEDER. Tuesday?

Senator FRYE. Yes.

Mr. REEDER. They were there on the grounds.

Senator FRYE. Did you see any marines paraded on Tuesday when the proclamation was read to take possession of the building?

Mr. REEDER. My memory is not clear on that point.

Senator FRYE. Where did you see them?

Mr. REEDER. On the grounds; but I can not say that they paraded or not. They were right there on the grounds.

Senator FRYE. What were they doing?

Mr. REEDER. I do not know whether I saw them paraded or not; but they were there.

The CHAIRMAN. That is the point in the case, whether you saw them paraded. I understood you to say that you did not witness the reading of the proclamation.

Mr. REEDER. I was not right there.

The CHAIRMAN. Where were you?

Mr. REEDER. I was not far away.

The CHAIRMAN. How far away?

Mr. REEDER. Right across the block—maybe two blocks.

The CHAIRMAN. Were you in full view of the audience—the crowd?

Mr. REEDER. Oh, yes.

The CHAIRMAN. At that part cular time or before that time?

Mr. REEDER. Before what time!

The CHAIRMAN. Before the proclamation was read?

Senator GRAY. On Tuesday?

The CHAIRMAN. At the time the proclamation establishing this Pro-

visional Government was read, did you see any United States marines drawn up in line, armed, etc?

Mr. REEDER. I do not know whether I saw them right in arms, but they were there. I could see them. I was up a square or two. I could see them there before the Government house.

Senator FRYE. How do you mean you saw them? Were they in line? Or do you mean to say you saw some straggling soldiers?

Mr. REEDER. I do not know whether they were in line, drilling.

The CHAIRMAN. In line of battle, drawn up ready to fight?

Mr. REEDER. I could not tell that; I saw them there.

Senator GRAY. Do you know where the troops were quartered, in Arion Hall, a building back of the Opera House?

Mr. REEDER. Yes.

Senator GRAY. Was it there you saw them?

Mr. REEDER. Yes; close in the vicinity of the Opera House.

Senator GRAY. Were they not in the rear of Arion Hall, inside the fence?

Mr. REEDER. I saw them scattered all around the hall and near the opera house.

Senator GRAY. Do you mean that the marines were out beside the Government building, where you could see them and anybody could see them?

Mr. REEDER. Yes; I saw them there. They were not in the grounds of the Government building.

Senator GRAY. Quite a body of them?

Mr. REEDER. Yes.

Senator GRAY. Did they have arms?

Mr. REEDER. I could not tell exactly whether they had their arms. I was within a block or so of them.

The CHAIRMAN. Pretty large crowd at the time that proclamation was being read?

Mr. REEDER. No; there were only a few.

Senator GRAY. Did you see the troops when they were landed on Monday afternoon?

Mr. REEDER. I did not see them during the time they were landing; no.

Senator GRAY. You saw them march through the streets?

Mr. REEDER. Yes.

Senator GRAY. Did you have any previous information that they were to land?

Mr. REEDER. No; I had not anything.

Senator GRAY. You said the first you knew of any troops from the Boston being ashore was seeing them on the streets, marching?

Mr. REEDER. Yes.

Senator GRAY. From what direction were they marching?

Mr. REEDER. They were marching up from where the *Boston* was landed, up through one of those streets.

Senator GRAY. What was the public impression, so far as you were able to gather it? You were out there and in contact with the people, were you not?

Mr. REEDER. Yes.

Senator GRAY. What impression did you gather as to the object of those troops landing; what was the popular impression?

Mr. REEDER. I did not know and do not know anybody else who did know. I was just waiting developments there and seeing what I could see.

Senator GRAY. What developments did you witness in that line as to the impression created by the presence of those troops—that they were there to support the Queen, or there to support the Provisional Government?

Mr. REEDER. I was just waiting to see what they would do, because I could not tell why they were there, and I did not know anybody who did know.

Senator GRAY. And you did not gather any impression at all?

Mr. REEDER. Not that I know of.

Senator GRAY. Have you any opinions, as a matter of fact, as to whether they had any influence upon the establishment of the Provisional Government, born from your observation there?

Senator GRAY. What is it?

Mr. REEDER. I think that the Government—in those who were in power—it excited some fears that they were there for the purpose not to sustain the Government, but to help change it somehow or other.

Senator GRAY. Not to sustain the existing Government?

Mr. REEDER. The Queen.

Senator GRAY. Was that the impression that you gathered from your talk with the people?

Mr. REEDER. Yes.

Senator GRAY. From what you saw and heard?

Mr. REEDER. Yes.

Senator GRAY. That they were there to aid the change in the Government? That is the way you put it?

Mr. REEDER. Yes.

Senator GRAY. Had you any interest, one way or the other?

Mr. REEDER. Not a bit of interest; not a cent's worth.

Senator GRAY. You belonged to neither party?

Mr. REEDER. No.

Senator GRAY. How long had you been on the islands?

Mr. REEDER. I had been there very close on to four months, and been among the people.

Senator GRAY. Largely?

Mr. REEDER. Yes.

Senator GRAY. You had been an interested observer of what was going on—it was interesting to you?

Mr. REEDER. Yes.

Senator GRAY. You were alert—your mind was alert, to take in what was going on around you?

Mr. REEDER. Yes; that was it.

Senator GRAY. What were you there for? Were you on business or on pleasure?

Mr. REEDER. I was there just as a tourist.

Senator GRAY. There for your health?

Mr. REEDER. That was part of my business there. I had something in my throat and I thought it would boil it out.

Senator GRAY. Was any of your family there with you?

Mr. REEDER. No.

Senator GRAY. May I ask you, if you will not consider it an impertinent question, what your politics are?

Mr. REEDER. I am a Republican. I never had a thought of politics while there. I was an American citizen. I had no allegiance to one party or the other. I determined that I would not imperil my safety. I had no interest whether the Queen's Government should survive or the missionary party should succeed. I intended to pursue such a

course as to have the protection of my Government in case the Government fell into the hands of either of those peoples. I knew if I joined a party and became interested in it and the party which I had joined was beaten, I would lose the protection of my Government.

Senator GRAY. You did not want to join a party as a mere tourist there?

Mr. REEDER. No.

Senator GRAY. You had no business in joining either party, had you?

Mr. REEDER. No.

Senator GRAY. Did you have anything to do with the domestic affairs of those islands?

Mr. REEDER. No.

Adjourned until to-morrow, the 31st instant, at 10 o'clock a. m.

WASHINGTON, D. C., *Wednesday, January 31, 1894.*

The subcommittee met pursuant to adjournment.

Present: The chairman (Senator MORGAN) and Senators BUTLER, GRAY, FRYE, and SHERMAN, and Senator DAVIS, of the full committee.

SWORN STATEMENT OF CHARLES L. MACARTHUR.

The CHAIRMAN. State your residence.

Mr. MACARTHUR. Troy, N. Y.

Senator FRYE. What is your business?

Mr. MACARTHUR. I am the editor of the Troy Budget.

Senator FRYE. Were you at any time in the Hawaiian Islands?

Mr. MACARTHUR. Yes; the last of February, or early in March, 1893. I remained there about seven or eight weeks, I should say.

Senator FRYE. What was your business there?

Mr. MACARTHUR. I went there to get rest, practically; but I found a state of things that very much interested me, and I investigated.

Senator FRYE. You investigated the condition of affairs in the islands?

Mr. MACARTHUR. Yes. I presume you gentlemen have a paper from me. I wrote considerably. I wrote an article which was published pretty widely. I was there when Mr. Blount was there, and I saw him frequently. His wife and mine were acquainted and went about a good deal together.

The CHAIRMAN. That is your paper, the one with the map in it?

Mr. MACARTHUR. Yes. I could not cover as much ground as I wanted to because I found it of so much interest. I knew there was meat in it and I went right over it.

Senator FRYE. Did you make a special business of investigating the condition of affairs in the islands?

Mr. MACARTHUR. Yes.

Senator FRYE. And in the course of that investigation did you have communications with parties of both sides there, the royalists as well as the Provisional Government?

Mr. MACARTHUR. Yes. All the time I was there the Provisional Government was in power. I did not report the result of my investigations to Mr. Blount. I did on one affair. He mentioned here that

Dr. William Shaw Bowen, of New York, undertook to get the Queen to sell her rights and abdicate. I took a part in that affair, and I could tell the story. I did not reduce to writing the observations that I made while in the islands. I have written a good deal to my own paper. That (alluding to article in Troy Budget of Nov. 26, '93), is more of a statistical matter, showing the history of annexation and leaving out the rest. There are some statistics about the population, showing that just at that time they were saying that they should have a plebescite there to justify annexation. I investigated that subject, and I found that there never had been one in territory annexed to the United States, and if there had been, the population would have voted it down in each case. We have never seen a case of that kind. Even in the annexation of Louisiana there were two riots against annexation. That annexation would have been beaten had you taken a vote of the population.

The CHAIRMAN. You are the editor of the Northern Budget?

Mr. MACARTHUR. Yes.

The CHAIRMAN. In the issue of November 26, 1893, you have presented some views about affairs in Hawaii. Those are the conclusions to which you sincerely arrived in your examination of the facts on the ground?

Mr. MACARTHUR. Yes. I did not go into that part of it which would be more interesting to you. I found that the native population was somewhat against annexation. I never could get at the bottom cause of it; I think I did, however, get at what I thought were the bottom causes. It was the woman question—the color question. Some of the richest men in the islands had married natives. One, Mr. Bishop, of the State of New York.

The CHAIRMAN. You speak of white men?

Mr. MACARTHUR. Yes, white men—missionaries there. Of course the native population think it a great thing, an elevated thing, to marry their daughters to white people, and I found on investigating on the Island of Hawaii and on those of Mauai and Oahu that the report had been circulated all through the islands that among the people of the U. S. the men who married negroes were despised, and that they would lose their caste in Hawaii by marrying natives. It became a woman question to a great extent in the islands, and the women influence the men always. They thought their daughters ought to marry reputably, and they thought they would occupy the position that the negro does in the U. S. country in such cases.

Senator FRYE. If the islands were annexed?

Mr. MACARTHUR. Yes.

The CHAIRMAN. That there would be a racial degradation?

Mr. MACARTHUR. Degradation. The women got hold of this question and went into every native household. When I got at the bottom of this matter, I found that every man, native, that I talked with, presented that phase of the subject to me. I made inquiries, and I found that this impression had been carefully circulated everywhere among these native people. I found it in the Island of Hawaii, the Island of Mauai, and I found it in Honolulu. I naturally felt that they were a very clannish people. The chief justice told me that in every case in which a jury of native people was had, they never could convict a native—that they had to take this thing from the juries and from the examining boards, and segregrate the lepers in these islands. In the criminal cases the chief justice told me, and two other judges told me also——

The CHAIRMAN. What would you think of the political proposition of incorporating those people into our body politic?

Mr. MACARTHUR. I think it ought to be done, because you do not build America for a little time; you build for a century; and the time is not far distant when the Pacific coast will have six or eight millions of people, and the native Hawaii population would be entirely rubbed out, at the present percentage of decrease, somewhere between 1920 and, say, 1930.

The CHAIRMAN. For similar reasons would you also think that it would be better for our country that the Japanese and Chinese should be brought in freely and incorporated into our body politic?

Mr. MACARTHUR. Mr. Blount said to me, "What are these people going to do for laborers?"

The CHAIRMAN. I am not speaking of that; I am speaking of the social effect in the United States of incorporating the orientals into the social system, what we call the body politic, of the United States.

Mr. MACARTHUR. The Asiaties can not vote or become citizens under the Hawaiian constitution.

The CHAIRMAN. I am not speaking of that, but the effect of annexation, in your judgment, as to Asiatics?

Mr. MACARTHUR. It is not that, because they are a hardworking people. They earn their money, and they get what they consider wealth and return to their own countries. The exports from those islands are $115 for each man, woman, and child in the islands. There are no such exports in the world. I think it is a detriment to confine themselves exclusively to sugar.

The CHAIRMAN. Do you concur in the prevailing opinion that the Kanaka population of Hawaii is passing away—perishing?

Mr. MACARTHUR. At the rate of decrease that is now going on, or in the last decade, they will be entirely wiped out in 1930. It has been carefully calculated. You see there are only 34,000 natives, and there are 90,000 of population. Of that, perhaps 12,000 are Portuguese. The Portuguese and white men there in voting would outnumber the native population, that is, the native voting population—outnumber them in the property qualification.

The CHAIRMAN. You speak now of the constitution of 1887?

Mr. MACARTHUR. I am speaking of this present constitution, under which the house of nobles and house of representatives were elected. There is a much lower elective power for the house under the present Provisional Government.

The CHAIRMAN. You are speaking of the constitution which Liliuokalani tried to overthrow?

Mr. MACARTHUR. Yes.

Senator DAVIS. What kind of people are those Portuguese?

Mr. MACARTHUR. They are mostly from the Azores.

Senator DAVIS. We know where they are from, but how do they size up?

Mr. MACARTHUR. They are a civil, orderly people.

Senator DAVIS. Industrious?

Mr. MACARTHUR. Yes.

Senator DAVIS. Are they law-abiding?

Mr. MACARTHUR. Yes,

Senator DAVIS. Do their children go to school?

Mr. MACARTHUR. Oh, yes; there is compulsory education there for all classes.

Senator DAVIS. Do they have their own homes there, to some extent?

Mr. MACARTHUR. Yes.

Senator DAVIS. Do you regard them as a progressive people?

Mr. MACARTHUR. I do. I regard them as the most progressive of all the three natives brought in there—Chinese, Portuguese, and Japanese.

Senator DAVIS. You do not classify them with the Asiatics?

Mr. MACARTHUR. No; not at all. They dress well; they have little gardens about their houses; they cultivate various things. The Azores is very similar to the climate of the Hawaiian Islands; it is the same class of soil—volcanic soil.

The CHAIRMAN. Did you understand from your examination of the condition of the Portuguese in Hawaii that their coming to the islands was a voluntary act on their part for the betterment of their fortunes?

Mr. MACARTHUR. Yes; betterment of their fortunes.

The CHAIRMAN. Not compulsion?

Mr. MACARTHUR. No; they sent out agents. They wanted to advance the thing, partly Japanese, partly Chinese, and somebody went over and by arrangement brought these people there.

The CHAIRMAN. Not under the cooly system?

Mr. MACARTHUR. No; the people of the Azores are the most liberal-minded of any of the Portuguese.

Senator DAVIS. Do they have their wives with them?

Mr. MACARTHUR. Yes; and children. They have brought their wives; they have little villages in Hawaii—the sugar companies build for them Japanese houses. They did not like these houses, so they went to work and made Japanese villages for them—little wicker things.

The CHAIRMAN. So that, I understand you, taking a general survey, the Kanaka population, the white population, and the Portuguese population, it would be a disastrous economic movement on the part of the United States to incorporate those people into our body politic?

Mr. MACARTHUR. No. But for the future the laws of the United States would prevent——

The CHAIRMAN. I was speaking of it as an economic question—whether you think it would be advantageous or disadvantageous to the United States to incorporate such a population as you have been describing into our body politic. Do you think it would be an advantage or a disadvantage?

Mr. MACARTHUR. I think it would be an advantage.

The CHAIRMAN. You do not include the Chinese in that statement?

Mr. MACARTHUR. No, not altogether. I think the Chinese are the worst population of all, perhaps.

The CHAIRMAN. Do they bring their families with them?

Mr. MACARTHUR. Not to a great extent.

The CHAIRMAN. Do they intermarry with the native women?

Mr. MACARTHUR. Not much. Some of the Japanese do, and I think some of the Portuguese.

The CHAIRMAN. They come there as denizens, and not to become citizens?

Mr. MACARTHUR. They cannot become citizens now.

The CHAIRMAN. I am speaking of their motives.

Mr. MACARTHUR. They come there to make money and go home.

The CHAIRMAN. This article which you published in your newspaper November 26, 1893, seems to contain a statement of your views on a number of questions. I want to ask you whether you regard that as your sincere impression now?

Mr. MACARTHUR. Yes.

The article is as follows:

"[From the New York Mail and Express.]

"INTRODUCTORY BY THE EDITOR OF THE MAIL AND EXPRESS.

"Hon. Charles L. MacArthur, the venerable editor of the Troy Northern Budget and formerly State Senator, has complied with a request of the Mail and Express for an article on Hawaii, the circumstances that led to the overthrow of the Queen, and the personnel of the Provisional Government.

"Mr. MacArthur went to Hawaii shortly after the revolution and enjoyed the same facilities for observation as Mr. Blount had. A graphic and entertaining writer, the veteran editor has made travel a habit for years, and when he wants to find facts or objects knows just where to look for them.

"IN HAWAII WHEN COMMISSIONER BLOUNT WAS THERE.

"*To the editor of the New York Mail and Express:*

"SIR: You have asked me to write for your paper on the subject of the Hawaiian Islands, now an absorbing theme of public discussion. I premise by saying that I was in the islands with my wife the best part of last winter, for weeks at the same hotel in Honolulu with Commissioner Blount and his amiable lady, saw them daily, and had fairly as good opportunities as he had to get at the bottom facts of the situation, the same sources of information being open to me as to him. Besides, I had greatly the advantage of him in that I saw and conversed with all classes of people and got at their inner ideas, whereas his reticence repelled rather than invited free intercourse. It was unfortunate for the object of his mission that he remained secluded in his quarters most of the time, instead of going about with his eyes and ears open and bringing into requisition the Yankee habit of asking questions. It was also unfortunate that he did not visit the great coffee and sugar producing island of Hawaii, the largest of the group, which has an area seven times greater than that of Oahu, on which Honolulu is situated, and six times larger than Maui, the next largest, with double the production of sugar and other commercial products of any other island.

"As I understand it, Mr. Blount only visited the island of Maui outside of Oahu, and then only paid a visit to see the great Spreckels sugar plantation, the largest in the world, where he was, of course, handsomely entertained. What he should have done was to have visited the great island of Hawaii, the garden island of Kauai, and the island of Molokai, and have seen the conditions of these islands for himself, and have conversed with the leading men of all parties throughout the group, instead of shutting himself up like an oyster in Honolulu and getting most of his information at second hand. I do not, however, desire to make any adverse criticism on Mr. Commissioner Blount, at least until his report becomes public, for he is a very amiable and courteous gentleman, and all my intercourse with him was of the pleasantest character. But I can't help saying that a trained newspaper man would have bored into all the sources of information and have swept the field cleaner and more thoroughly in gathering material for a satisfactory report by the methods ordinarily in vogue with newspaper men than was possible by the methods and means adopted by the honorable chairman of the House Foreign Affairs Committee of the last Congress

"ANNEXATION THE MORE DESIRABLE.

"On the assumption that the United States ultimately means to do anything with Hawaii other than to crush it or let it alone severely, there are two solutions of the question pending. One is annexation, the other a protectorate. Of the two, annexation is altogether the more desirable to both countries. The better way would be to provide for annexation on a plan similar to that by which Alaska was admitted. Hawaii does not ask to come in as a State until the islands have grown to somewhere near the stature, in population and importance, of a full-grown State. The older States, after the late experiences on the silver bill and in other respects, feel like going slow in admitting any new State with a population of, say, not more than 150,000, with two Senators, whose votes in the Senate would equal the votes of the New York Senators, who have a constituency back of them of now nearly 7,000,000, or would have as great a voice in the Senate as Pennsylvania with its more than 5,000,000, or Ohio and Illinois with their more than 3,000,000 of population each, or of five other States with more than 2,000,000 population each, or of eighteen other States with more than 1,000,000 population each, that would naturally object to admitting Hawaii as a State with two Senators, until she grows up to a stature more nearly approaching in population and resources the average size of all the States.

"The average population of these twenty-seven States is about 2,000,000 each, and the average population of many more than one-half of all the States is more than 1,000,000 each. These larger States will doubtless hereafter object to the admission of a new State that has not a population of at least a quarter of a million. That the islands once annexed as a Territory would speedly double in population and go on increasing at a rapid rate there can be no doubt. But for the present Hawaii, if annexed, should remain a Territory governed very much as Alaska is governed.

"NOT A SOUND OBJECTION.

"Senator Perkins, of California, and other Western Senators desire that the Hawaiian Islands should be acquired and annexed to California as a county with a county government. That proposition will do to think about, but is too large a question to be discussed here. Honolulu, as to location, is 2,100 miles from San Francisco. The argument is often used against annexation that the Hawaiian Islands are too far off and too far west to be annexed to this country. From the center of the American Union, now somewhere in the vicinity of Indianapolis, Hawaii is not so far off as portions of some of our Northwestern States, and is nearer than Alaska. Besides the Aleutian Islands, a part of Alaska, are more than 300 miles west of the parallel of the Hawaiian group. With fast railroads across the continent, and steamers that regularly make the trip from San Francisco to Honolulu in six days now, and could in four or five, the 'too far off' and 'too far west' objection don't count. Honolulu is in point of time no further from New York than Washington was from Boston when the Revolution broke out. As to a protectorate, Governor Marcy, when Secretary of State, was thoroughly in favor of annexing the Hawaiian Islands, and ably showed the utter absurdity and folly of the United States establishing a protectorate over the Hawaiian Islands or any other territory. He said that a protectorate gave no sovereignty to the protector. The protected got the substance, while the protector got

only the shadow—and paid all the costs. And he was right. It is notable that every American Secretary of State, including Bayard, who has written upon the subject, except Gresham, and every President down to Cleveland has favored the American acquisition of Hawaii.

"AREA AND POPULATION.

"The Hawaiian Islands have an area of 6,470 square miles—about the size of Connecticut. The population in 1890 was 89,990. Of this number the natives (of the Hawaiian race) counted only 34,436, being in a minority in the population amounting to 21,115. There were 6,186 half-castes. Counting all the natives and all the half-castes as native Hawaiians they still lack 4,373 of being half the population, and are outnumbered by what are classed 'foreigners,' by 8,746 in the population table. All Hawaiians born on any of the islands of foreign parents are classed as 'foreigners,' although native whites born on the soil were ignorantly styled as a class by Secretary Gresham as 'aliens.' These 'foreigners,' Hawaiian native born, number 7,495, are all whites and mostly the children of American missionaries. The other Americans not born there number 1,928, so that the American native-born Hawaiians, or those who have located there, in round numbers count up 9,500. Statistics show that about 91 per cent of all the business of Hawaii and a proportionate amount of all the private property should be classed as American.

"There were 27,661 Japanese and Chinese, mostly coolies, employed in sugar-making; also, besides nearly 9,000 Portuguese, mostly similarly employed. These latter, being white, are admitted to citizenship and may vote, while the Orientals are excluded from the ballot. The Portuguese are almost to a man annexationists, are American in sentiment, and have a representative in the executive and legislative body of the Provisional Government. All of the other 'foreigners' of Hawaii, exclusive of 588 Polynesians, number only 2,494, of whom 1,344 are Britons and 1,034 Germans. A majority of the Germans are for annexation—the Britons are not. The latter compose all the real substance among the white population opposed to annexation. It was this body of 20,596 white 'foreigners,' nearly all of whom are Hawaiian citizens under the law and belonging to the constitutional voting class, numbering about two-thirds as many as all the native Hawaiians, that the ex-Queen undertook to disfranchise and to deprive of their civil rights under the old constitution, by suddenly proclaiming a new constitution putting all the political power and rule in the islands in the hands of the natives, that caused the revolution in January last and the deposition of the Queen.

"A CORRUPT LEGISLATURE.

"The last Hawaiian Legislature was guilty of notorious bribery and corruption. It passed the odious lottery and opium bills, which were signed by the Queen. The Queen arbitrarily selected her cabinet in defiance of constitutional principles, and the new revolutionary government in justification of her overthrow made this assertion, which never has been and can not be truthfully controverted: 'Her Majesty proceeded on the last day of the session to arbitrarily arrogate to herself the right to promulgate a new constitution, which proposes among other things to disfranchise over one-fourth of the voters and the owners of nine-tenths of the private property of the Kingdom, to abolish the

Upper House of the Legislature and to substitute in place thereof an appointive one, to be appointed by the Sovereign.' Americans who are now shouting, 'home rule for Hawaiians' and demanding that the Provisional Government should be approved by a popular vote will do well to remember that the native Hawaiians are not by any means a majority of the population, and that the Queen sought to take the ballot from the hands of white men and confer it solely to her Kanaka brethren.

"NOT OF ROYAL BLOOD.

"It would be well for those to reflect who are now deploring the loss of the deposed Queen's rights to ascertain just what those rights are. She has not a drop of royal blood in her veins, and therefore does not get any of her pretended royal rights by descent. When Kamehameha V expired, December 11, 1872, the royal family became extinct. Then the system of election was resorted to to fill the throne. Lunaiilo, one of the high chief class, was elected by a vote of the nobles and representatives. He died in 1874, and then a new election of the sovereign was held by the nobles and representatives. The general supposition was that Queen Emma, the widow of Kamehameha IV, would be elected, but when the election came off Kalakaua captured the Legislature and secured a majority, it was charged at the time, by unfair methods. Riots against Kalakaua followed, and he was only kept on the throne ultimately by the landing of an American force.

"When Kalakaua died, in 1891, he had no heir, and by his will he selected his sister, Liliuokalni, as his successor. Thus the right to the throne by inheritance or by an election was abandoned, and the Queen who was deposed last winter seemed to owe her elevation to the will of her brother, which mode of selection seems to have been acquiesced in at the time. Whether there was any law or change of constitution which authorized a childless sovereign to will away the throne to a relative or not, I do not know. Similarly, however, the deposed Queen has designated as her successor Kaiulani, the daughter of her sister, now 18 years of age, the daughter of Mr. Cleghorn, an Englishman who married one of Kalakaua's sisters and who held office under that King. Kaiulani is now being brought up in England, under the tutelage of Theophilus C. Davies, formerly English consul at Honolulu, and now in business there, and whose son is said to be engaged to marry Kaulani. She visited Mr. and Mrs. Cleveland last winter in company with Davies, and Mrs. Cleveland gave the incipient Queen distinguished consideration. Davies has lately had interviews with Cleveland and Gresham and has returned to Honolulu, proclaiming that Lil will be restored, and here's where 'the English of it' comes in.

"Perhaps one reason why women seem to be the favorite sex for sovereigns, in violation of the Salic law, is because the descent of property in Hawaii is through the female and not the male line. Kalakaua and his sister Lil were of what is known as the high chief class. Their blood was not, therefore, 'royal,' but, so far as inherited, of a very bad kind, for it is a historical fact that their grandfather was the first person ever executed in Hawaii for the murder of his wife.

"A DYING RACE.

"It seems absurd that an American statesman should be willing to commit the future destinies of Hawaii to the rule of the monarchy of a race rapidly dying out, rather than to the vigorous and progressive

auspices of the American Republic. The native population of Hawaii fell off from 1866 from 57,125 to 34,446 in 1890—a loss of 22,679 in twenty-five years. At that rate of loss the whole native population of Hawaii will be wiped out completely early in the second quarter of the next century, so that the child may now be born who will live to see the entire extinction of the Hawaiian race. This is a startling fact. Yet it seems to be true that in a little more than a century since the discovery of the Hawaiian group by Capt. Cook the population has dwindled from 400,000 to less than one-eleventh of that number. I have not space to give the reasons for this decay of the race, one of the principal of which seems to lie in the fact that the native women generally lack the motherly instinct for the proper care of their children.

"A common custom among Hawaiian mothers is to give away their children at birth, some promising to give them away even before they are born. The mother, for this loss of her offspring, solaces herself often by adopting the child of some other woman as a household pet, after the manner of many American women who prefer pugs to progeny. It is certain that a newer and more virile race is shortly to entirely supersede the aboriginals on these islands. The evolution is now going on with startling rapidity.

"Now that the public lands are about exhausted in America and Hawaii lies contiguous to our own shores, shall the dominant race to be planted there be American or English, or shall the structure of the future be built on the basis of a race, as Cleveland proposes, who will sink out of sight among the 'lost tribes' early in the next century? Statesmen who are statesmen worthy of the name do not build the nation for a day, but for all time. In view of the fact that our Pacific coast will in the near future have a population of 10,000,000 of people, with a vast commerce over the Pacific Ocean, and that this commerce will require protection over that great sea, the reasons for annexation, now that the opportunity offers, are too obvious to need to be recounted here.

"A SETTLED POLICY.

"The students of American history know that in the United States annexation has been the settled policy always. The original American colonies numbered only eleven, including the three counties of Delaware, which were really a part of Pennsylvania, and the number of States remained at eleven for two or three years after the adoption of the Federal Constitution in 1787. The number was swelled to thirteen in 1789 and 1790, when North Carolina and Rhode Island reluctantly came into the Union. The original colonies contained no more than 1,000,000 square miles of territory, a narrow strip of land stretching from the Atlantic coast to the Alleghanies in the West, to the Floridas and Louisiana in the south, and to the northward to Nova Scotia and Canada. All during our earlier history it was a struggle to annex new territory or to protect what we had. The real bottom bone of contention in the war with Great Britain in 1812 was as to which nation should hold the navigation and mouth of the Mississippi River. In the present century we have made by purchase the following annexations, namely:

In 1803, Louisiana cost	$15,000,000
In 1819, Florida	5,000,000
In 1848, California and New Mexico	15,000,000
In 1853, Arizona	10,000,000
In 1867, Alaska	7,200,000
Total cost of territory purchased	52,200,000

"The nation has repaid its entire cost of $52,000,000 for all the territory purchased in a single year by the product of the mines of California. Texas was annexed in 1845, not by purchase or treaty, but by a joint resolution of Congress. The acquisition of Louisiana and the Floridas more than doubled the original million square miles of territory on which the United States started into business; then Texas came in with 300,000 square miles more, next California and New Mexico with still a greater extent of territory, then Arizona in 1853 with a large slice more, and Alaska in 1867 with 500,000 more, so that now the original million of our area has been swelled by annexation to four times its first size, and, in fact, the center of the Republic has traveled west into the territory annexed.

"There has not been an annexation of territory made that has not added greatly to the material grandeur and to the prosperity of the whole United States, and it would now be difficult to find throughout all these broad realms a single American, not a crank, who wouldn't be willing we should go to war rather than any acre acquired should be wrested from us. The acquisition of territory by America is very much like the birth of children—not always longed for by the parent or prospectively welcome to the family, but once they join the home circle they are valued above all price and are too precious to be bought with money. So would it be once that Hawaii became an American possession.

"NO PLEBISCITE OR VOTING ON ANNEXATION.

"It is claimed by some of the Clevelandites that Hawaii should not be annexed without a majority vote of the aboriginal natives, who are themselves a minority of the whole permanent inhabitants, in its favor. This is against all American precedent in annexations in this country, and generally in all practice throughout the world. The question of the annexation of any of the territory acquired by us was never submitted to a vote of the people of the country acquired in any case. It is probable that if the inhabitants had voted, including those of the aboriginal natives, the vote in each case would have been against annexation. The Indians in these countries would have been against annexation, and with their votes annexation would have been defeated. Even as it was the Louisiana acquisition was opposed strongly there, and serious riots in opposition resulted in New Orleans. In our acquisitions the government in control of the territory transferred arranged the terms of each transfer, and there was no popular vote on the subject.

"Those who controlled territory to transfer transferred it, as has been proposed in the case of Hawaii, and all such transfers have been approved as wise, popular, patriotic, and glorious by the American people. And as those who are represented in the Provisional Government now propose to cede Hawaii control and own nine-tenths of the business and private property of the islands and have shown their ability to sustain that Government against all opposition that can come from within the country, their right to act on the question is indisputable.

"WHAT THE MAP SHOWS.

"The accompanying map shows that Hawaii is the great crossing point in traversing the Pacific Ocean—the hub that sends out spokes to all other prominent points and ports of that greatest ocean of the world. All the steamer lines, other than coastwise, here cross and

diverge to all points of the compass. It is the strategical and naval key to the whole Northern Pacific Ocean. All naval and military authorities concur in the statement that the strong nation that has power to hold Hawaii will have the dominion over this great sea and can control the vast commerce of the Pacific, for it is the gateway and toll gate of the water roads to China, Japan, the Indies, the Orient, as well as the focusing point of vessels bound to North and South America, to Australia, and to the innumerable groups of islands composing the Indian Ocean archipelago. Here are some ocean distances, in miles, from Honolulu to—

San Francisco	2,100	Auckland	3,810
Portland, Oregon	2,460	Sydney	4,980
Panama	4,620	Hongkong	4,800
Tahita	2,380	Yokohoma	3,440
Samoa	2,290	Victoria, B. C	2,360
Fiji	2,700	Ocean Island	1,250

"Thomas Hart Benton long ago declared that the dominion and empire of the world lay along the route to the Indies and with the country that controlled the commerce over it. This has been true ever since the discovery of America. The map shows that the mainland of Alaska is west of Honolulu, and the Aleutian Islands, a part of American territory in Alaska, are more than 300 miles west of the Hawaiis. With the laying of an ocean cable to Honolulu, which there is good assurance will be done by a British company very soon, and the completion of the Nicaragua canal, which is also sure to come later, the importance of the Hawaiian Islands will be vastly increased. Within five years after American annexation Honolulu would become the Hongkong of the Pacific, with a population of at least 100,000, and the population of the whole group would be doubled with a steady increasing growth thereafter.

"The growing commerce of our Pacific coast with the Orient and elsewhere on that ocean will be immensely increased in the near future, and these American interests demand the acquisition of these islands for commerce in time of peace and for defense in time of war. It should be remembered that the United States are being builded for all time and not for a day. If the United States acquire these islands on the terms proffered by the Hawaiian Provisional Government, our Government would get $10,000,000 of actual value in property for nothing, besides the Pearl River coaling station on the same terms, which may be easily and cheaply fortified at small cost, so as to become a naval Gibraltar of the Pacific, strong enough to be held by our white squadron against any force likely ever to be brought against it. And there is no civilizing or Americanizing to be done to train the annexed people into accord with our institutions, for the white men now at the head of the Provisional Government are all of the best New England stock, as well as those who support it. All the executive heads of the Provisional Government, except one, are white men born on the soil of Hawaii, sons of American missionaries, who Christianized, civilized, and raised Hawaii from heathendom, although declared 'aliens' by Secretary Gresham.

"CLIMATE AND PRODUCTIONS.

"The islands have the finest climate in the world, and Hawaii has been justly styled the Paradise of the Pacific. It raises the products of the tropic and the temperate zones. It is the richest piece of cane

sugar producing country in the world, as it may be seen from the fact that the average product of sugar in other countries is two tons to the acre, while in the islands it is four, and often eight tons in exceptional cases. Heretofore the annual exports of the islands for several years have been of the value of about $115 per each man, woman, and child in the whole country—a larger percentage to population than enjoyed by any other country in the world. This year the first six months' customs statement shows that the average for the year in sugar exports alone will reach about $110 per head for each inhabitant—a large increase. Cane sugar is not raised here above the 1,500-foot level of the sea. Experiments that promise success are now being made in raising the red Australian cane above the 1,500-foot level. If the effort is successful the sugar crop will be vastly increased. Above that level is now raised as fine coffee as is produced in any country in the world. But coffee cultivation has not been pushed, sugar raising being more profitable.

"But with the advent of Yankee methods both the coffee, rice, and other products of the soil will be enormously increased. Hawaii is truly an exceedingly fertile land abounding in rich products. It only has to be "tickled with a hoe to laugh with a harvest." Do we want it? Well, the Americans ought to know enough to take a good thing when it is offered for nothing, and is needed for the purposes of commerce and protection. To reject annexation now, and to crush out by bayonets an American government over what is really only an outlying American colony, only to restore it to heathendom and the rule of the Kahunas, would be the greatest political crime and blunder that the Americans have committed in this century, only excepting the efforts of the rebels to destroy the Union. In this case the instrument of the crime employed by the administration is one who endeavored to pull down our flag and to put in its place that of the confederacy,—and one who has already pulled down the stars and stripes in Honolulu, and is now engaged in the anti-American effort to run up the Britishized flag of the heathen Queen in its place.

"COMMISSIONER BLOUNT'S REPORT.

"While I write Commissioner Blount's report has just been brought in. It seems to have fallen lifeless, limp, and dead upon the public as being anything like a true and living witness against annexation. As the late American minister, Mr. Stevens, promises to dissect Blount's cadaver, it is only fair that his scalpel shall have the first slash at it. I only say here that I do know that Blount's report is a wicked perversion of the facts, as I had the opportunity of gathering them in Honolulu before his arrival there and after. The story of a Stevens conspiracy is utterly absurd. The plain facts, briefly, are these: There was great excitement over the passage of the opium and lottery bills at the close of the legislative session, and the whole civilized and Christianized part of the community was up in arms against these measures, which had been bribed through the Legislature and mothered by the Queen.

"The Christian ladies of the city called on the Queen in the interests of morality, asking her not to sign these bills. The Queen promised not to do so, and asked the ladies to unite with her in prayer that God would give her strength to resist the temptation. They did so, and the whole city knew of it. Next morning the city was shocked to learn that she had played the hypocrite and signed the odious bills. A popular ferment ensued. On that day, when the session had closed finally,

the community was still farther shocked when the Queen, on her own volition, without the consent of her cabinet, proclaimed a new constitution, cutting off the franchise of a large portion of the whites and practically handing over their liberties and properties to the tender mercies of the native Kanakas.

"This last straw broke the camel's back. The revolution instantly broke out, which resulted in the establishment of the Provisional Government. Mr. Stevens was absent, and had been for days previous, on board a United States war vessel, the *Boston*, I think, which had gone on a cruise in the outer islands for target practice. Neither Stevens nor the United States cruiser arrived back in Honolulu until after the revolution had been under full head for fully forty-eight hours, and he and the officers of the vessel were in utter ignorance of what had happened until they landed. Then he and they acted promptly. That does not look much like a Stevens conspiracy. It was the fact that the Queen's party took advantage of his absence to establish a new constitution and to make a revolution of their own, and she lost her throne in the attempt."

The CHAIRMAN. When you were in Hawaii did you know Paul Neuman?

Mr. MACARTHUR. Yes.

The CHAIRMAN. What relation did he hold to Liliuokalani?

Mr. MACARTHUR. He was her attorney—held the power of attorney that he had here when he originally came.

The CHAIRMAN. The same as is printed in Mr. Blount's report?

Mr. MACARTHUR. Yes.

The CHAIRMAN. Were you personally acquainted with the Queen?

Mr. MACARTHUR. I met her in California. She was at the same house that I was. I knew her husband in California, and I should not have been able to see her but for a previous acquaintance. She was not receiving anybody.

The CHAIRMAN. What year was it that you first met the Queen?

Mr. MACARTHUR. I think it must have been in 1887. I was in California three or four times. I am not quite sure of the year; I think it was in 1887. The Queen's husband was over there trying to float some Government bonds.

The CHAIRMAN. That was before the Queen's accession to the throne?

Mr. MACARTHUR. Before her accession. She was Mrs. Dominis then?

The CHAIRMAN. Did you have with Mr. and Mrs. Dominis a personal acquaintance?

Mr. MACARTHUR. Yes; to a limited extent. I spoke to them frequently at the hotel in California.

The CHAIRMAN. Did you have frequent conversations with her?

Mr. MACARTHUR. Yes; some.

The CHAIRMAN. When you returned to Hawaii after this revolution had been inaugurated, did you see her again?

Mr. MACARTHUR. Yes.

The CHAIRMAN. Did you have any conversation with her?

Mr. MACARTHUR. Yes.

The CHAIRMAN. On political topics?

Mr. MACARTHUR. Not very much; I did to a small extent.

The CHAIRMAN. I would like to know what you know in respect to Paul Neuman's authority to represent Liliuokalani, and of any overtures that were made by him, with her consent, or, as he asserted, with her consent, to surrender her crown to the Provisional Government,

her royal authority, for a moneyed consideration. Give us your knowledge about that, and you can go on and state the whole affair in your own way.

Mr. MACARTHUR. I went to Mr. Dole. I had trouble in my own mind as to whether the Queen had not some personal rights in the crown lands, for the reason that the treasury department had never asked her to make a return on the income, which was about $75,000 a year, from these lands and which she had received, and as the treasury had never asked her for a return I thought she had an individual right in the lands. I said to the people, "She has individual rights, and you have not asked her to make a return to the treasury of what she has received and what she did not receive." The President explained it all to me, the grounds of it. When Mr. Neuman indicated that they were willing—I had made the suggestion and others had—that they ought to buy her out, pay her a definite sum, $25,000 or some other sum per year for her rights. Her rights had been shattered, but I thought they ought to pay for them, and so I went, in accordance with Mr. Neuman's suggestion, or by his consent, to see President Dole.

Mr. Neuman said he wanted to talk with President Dole about this matter, but he had not been there officially, and he could not go there publicly to his official place. I talked with Mr. Dole, and Mr. Dole said he could not officially do anything without consulting his executive committee, but he said he would be very happy to meet Mr. Neuman and see what they wanted—see if they could come to any terms about this thing by which the Queen would abdicate and surrender her rights. Then he said, "Where will Mr. Neuman like to meet me?" After we talked it over we thought Mr. Neuman would not be willing to come there publicly, and so it was suggested that Mr. Neuman could call on Mr. Dole at his house on a given evening and bring his daughter along.

The CHAIRMAN. Do you remember what evening that was?

Mr. MACARTHUR. I do not remember. And in accordance with that, Mr. Neuman and his daughter called, nominally for the daughter to see Mrs. Dole, so that it could not get out, if they made a call, they could say it was merely a social call, not an official call. Of course, I do not know what their conversation was; but Mr. Neuman, acting on that, called on the Queen. Mr. Dole and Mr. Neuman both impressed on me the importance of not having this thing get out, or the whole thing would go up in smoke. Mr. Neuman said he could bring this thing about if he could keep it from the Queen's retainers—her people. He said, "That is the difficulty about this thing." This matter went on for three or four days. Mr. Neuman saw the Queen and she agreed not to say anything about it, so Mr. Neuman tells me, and I got it from other sources there which I think are reliable. They came to some sort of understanding; I do not know what it was. They went so far as to say this woman would not live over three or four years; that she had some heart trouble; and if they gave her $25,000 a year it would not be for a long time.

The CHAIRMAN. As an annuity?

Mr. MACARTHUR. Yes; and Mr. Neuman said she assented to it, if she could satisfy one or two of her people.

The CHAIRMAN. From whom did you get the understanding that the Queen assented to it?

Mr. MACARTHUR. I got it from Mr. Neuman, who was her attorney, and others.

The CHAIRMAN. Was any provision included in that proposed arrangement in favor of the Princess Kaiulani?

Mr. MACARTHUR. No; in fact, they were a little bit antagonistic.

The CHAIRMAN. Was Mr. Neuman acting as the agent of Kaiulani?

Mr. MACARTHUR. No; As I understand, he never was the agent of Kaiulani, but of Lilioukalani.

Senator FRYE. The last 25 or 30 lines of this letter which you have put in as your testimony clearly ought not to come in as testimony, it being certain criticisms of political action. I want to ask you to leave that out.

Mr. MACARTHUR. Yes; I will leave it out.

The CHAIRMAN. You desire to leave out of your statement the last part of it, because it is mere comment?

Mr. MACARTHUR. Yes; mere comment.

Senator GRAY. When did you go to the Hawaiian Islands?

Mr. MACARTHUR. It was early in March, I think. I went there two or three steamers before the one on which Mr. Blount went.

Senator GRAY. You were there when Mr. Blount arrived?

Mr. MACARTHUR. Yes.

Senator GRAY. Where did you stop when you went there?

Mr. MACARTHUR. Both at the same hotel.

Senator GRAY. You were stopping at that hotel when Mr. Blount arrived?

Mr. MACARTHUR. Yes. He had a cottage in the grounds.

Senator GRAY. Is that the hotel where tourists are likely to stop?

Mr. MACARTHUR. Yes.

Senator GRAY. How long did you remain there?

Mr. MACARTHUR. Seven or eight weeks; I do not quite remember.

Senator GRAY. Do you remember what day of the month you got back?

Mr. MACARTHUR. I got back home the 20th of May.

Senator GRAY. Did you come straight back?

Mr. MACARTHUR. Yes.

Senator GRAY. It would take about two weeks direct travel to come from Hawaii to your home?

Mr. MACARTHUR. It takes six days by steamer from Honolulu to San Francisco and four or five days across the continent home.

Senator GRAY. I understand your testimony to be that you were in the islands for your health?

Mr. MACARTHUR. I went there exclusively for leisure. I saw such a condition of things that I went to investigating.

Senator GRAY. I understand from what you have just said, and that has not been made of record, that you believe in the general policy of the Nicaraguan Canal and the annexation of these islands?

Mr. MACARTHUR. Yes.

Senator GRAY. You are what may be called an annexationist?

Mr. MACARTHUR. Yes.

Senator GRAY. Of course, you think that annexation would be for the benefit of the people of the United States?

Mr. MACARTHUR. I do, decidedly. I did not go there an annexationist; but when I found the conditions of things there, I changed my views about it.

Senator GRAY. Had you been there before?

Mr. MACARTHUR. No.

Senator GRAY. You had not been in the islands before?

Mr. MACARTHUR. No.

Senator GRAY. And you think that the treaty of annexation that was proposed to the Senate by the commissioners of the Hawaiian Islands and the Secretary of State and President, in January, 1893, would have been a good treaty to confirm?

Mr. MACARTHUR. So far as I understand it; I am not familiar with details of that treaty.

Senator GRAY. You think it would be good to make those islands an integral part of the United States?

Mr. MACARTHUR. Yes.

Senator GRAY. And its people a part of the body politic?

Mr. MACARTHUR. I do. There may be a good deal in that question of annexation to California.

Senator GRAY. Do you think it would be well to make it an integral part of the United States and the people a part of our body politic?

Mr. MACARTHUR. I do.

Senator GRAY. Natives, Chinese, Portuguese, and Japanese?

Mr. MACARTHUR. Certainly the Portuguese.

Senator GRAY. I said the Chinese.

Mr. MACARTHUR. Our Constitution is in the way of incorporating the Chinaman as a citizen.

Senator GRAY. You think the Constitution of the United States prevents Chinamen from becoming citizens?

Mr. MACARTHUR. Yes.

Senator GRAY. And on that account you are quite willing that the people should become part of the body politic, believing that the Constitution would exclude the Chinamen?

Mr. MACARTHUR. Yes; as citizens.

Senator GRAY. And it was that view of the Constitution that caused you to make the answer you did?

Mr. MACARTHUR. I am not opposed to the Chinaman in California.

Senator GRAY. Was the result of your observation there such as to bring you to the opinion that the Provisional Government fairly represented in the American fashion the people of those islands?

Mr. MACARTHUR. Yes.

Senator GRAY. You think it did? You think it was supported by a majority of the people of those islands?

Mr. MACARTHUR. Not by a majority of the natives.

Senator GRAY. I am not speaking of separating the two classes, but of a majority of all the people of those islands, whites, natives, and all.

Mr. MACARTHUR. If they took a vote under the present voting system, under the constitution of 1887, with American interests there, and the Portuguese who may become citizens, and are practically citizens there now, they would get a majority.

Senator GRAY. Now?

Mr. MACARTHUR. Yes; now.

Senator GRAY. Do you believe they would at the time the Provisional Government was established or within a few weeks thereafter?

Mr. MACARTHUR. I believe they would now.

Senator GRAY. Do you extend that opinion?

Mr. MACARTHUR. That is the voting population. There is a property qualification for the house of representatives and a larger qualification for the house of nobles. Taken together, that vote, combined with the Portuguese and white population, they would secure a majority, because annexation sentiment has grown lately.

Senator GRAY. I am told that this article is to be incorporated as a part of your testimony.

Mr. MACARTHUR. Yes. I would like to omit that last part. I wind up with an allusion to Mr. Stevens.

Senator GRAY. Did you meet Mr. Blount shortly after your arrival in the islands?

Mr. MACARTHUR. I was there when he arrived.

Senator GRAY. Did you meet him?

Mr. MACARTHUR. Yes.

Senator GRAY. Did you see him constantly?

Mr. MACARTHUR. Every day while I was there. I went down to Mauai, made excursions to the volcano and came back, and would see Mr. Blount every day while in Honolulu.

Senator GRAY. You have already told me that you met Mr. Blount directly after his arrival, and boarded at his hotel, and that you saw him every day?

Mr. MACARTHUR. Yes.

Senator GRAY. Did he seem to you to be engaged in gathering information? I do not say from what source; I just say, did he seem to be about that business?

Mr. MACARTHUR. He was, so far as I could ascertain. Yes; he was in his cottage pretty nearly all the while; did not go out any; did not make excursions.

Senator GRAY. But he seemed to be gathering information?

Mr. MACARTHUR. Yes; that was about the purport of it.

Senator GRAY. Did he seem to be honestly engaged in it?

Mr. MACARTHUR. Yes; except that he would not see some men at first like Lobenstein, who had been a surveyor and knew all about the land system. After he saw him he said he was the best man he could get—have you any more such men?

Senator GRAY. Did your observation of Mr. Blount during those weeks or months that you were on the islands give you any opinion as to the man's honesty or integrity?

Mr. MACARTHUR. Yes; I thought he was honest.

Senator GRAY. Did you think he was an upright man?

Mr. MACARTHUR. Yes, I do—ordinarily so.

Senator GRAY. A gentleman?

Mr. MACARTHUR. Yes.

Senator GRAY. I mean in the wide, broad acceptation of that term?

Mr. MACARTHUR. Oh, yes.

Senator GRAY. He did not, I assume from what you said, gather information in a way that would satisfy a newspaper man?

Mr. MACARTHUR. No; he did not.

Senator GRAY. You believe, from what you have noticed of your profession, that the newspaper men have a faculty, trained or otherwise, superior to other men in getting facts?

Mr. MACARTHUR. It is the profession of their life; yes.

Senator GRAY. And you do not think that Mr. Blount, from what you saw, was up to the standard as a newspaper gatherer of information?

Mr. MACARTHUR. No.

Senator GRAY. I observe in your article, which I have in my hand and glanced at very hastily, you say, "It is claimed by some of the Clevelandites that Hawaii should not be annexed without a majority vote of the aboriginal natives, who are themselves a minority of the whole permanent inhabitants, in its favor." What Clevelandite, so-

called, or other person, have you heard claim, or where have you seen in print, as you claim, that Hawaii ought not to be annexed without a majority vote of the native population?

Mr. MACARTHUR. The New York Times, The World, and the different administration papers that express their views, held that a vote should be taken on it.

Senator GRAY. But there should not be a majority vote of the natives separated from all others?

Mr. MACARTHUR. I mean native whites as well as others. There is a large proportion of the population natives who are whites.

Senator GRAY. Then you mean that those people contend that there should not be annexation without a vote of all the real population of those islands?

Mr. MACARTHUR. Yes.

Senator FRYE. Of all who are to vote?

Mr. MACARTHUR. Yes.

Senator GRAY. That is not what I mean. The majority vote of all the inhabitants of those islands who belong there either as natives or as naturalized citizens? That is what you mean?

Mr. MACARTHUR. Yes.

Senator GRAY. Then you say, "But that is against all American precedent in annexation and generally in all practice throughout the world?"

Mr. MACARTHUR. Yes.

Senator GRAY. Are you aware that Mr. Seward, when he was Secretary of State, declared in an official paper that—

"A revolutionary government is not to be recognized until it is established by the great body of the population of the State it claims to govern?"

Mr. MACARTHUR. No; I do not know that. What I meant there was that there had never been a case of annexation in this country where the people had voted on it.

Senator FRYE. That is, the annexed population?

Mr. MACARTHUR. The annexed population. If it had been, the annexation would have been repudiated in every case.

The CHAIRMAN. In the case of a plebescite in Hawaii, where the population is homogeneous, there is not as much reason for having a plebescite of our own people for the admission of those strangers as there would be of submitting to them in case they desired to come in?

Mr. MACARTHUR. Yes; in the case of Louisiana and the case of Texas, annexation would have been defeated if submitted to a vote of all the inhabitants there.

The CHAIRMAN. But in those cases the people were homogeneous with our race here.

Mr. MACARTHUR. As to whites that may be.

Senator GRAY. There was no doubt in the case of Louisiana of the full authority of the French Government to make the cession.

Mr. MACARTHUR. Exactly. That is the ground I take on Hawaii. There were two riots in New Orleans against annexation to the United States, and they had to send troops to put them down. The government that is in power and possession has the right to make its treaty of annexation, and there never has been in the history of the country any precedent of its kind of a plebiscitum.

The CHAIRMAN. In the annexation of a country, merging its sovereignty into another, the question is a governmental question and not of the people concerned?

Mr. MACARTHUR. Exactly; because the Government represents the people, as in the case of Texas.

The CHAIRMAN. I do not know that you remember, but it appears to me that at the time the treaty with Mexico was sent in by Mr. Triste, and submitted to the Senate of the United States, there was a motion made to submit the question of annexation to a plebiscite. I do not know that you remember that.

Mr. MACARTHUR. I do not.

Senator GRAY. I will ask you whether you approved the pulling down of that flag by Admiral Skerrett?

Mr. MACARTHUR. Yes; because there was no protectorate over it. I prefer annexation to a protectorate. The latter gives no sovereignty; it simply protects, and nothing else.

The CHAIRMAN. I will ask you whether there exists in Honolulu a club in which men of different politics and different races and different nativity assemble?

Mr. MACARTHUR. Yes. Mr. Cleghorn is the president of it. He is the father of Kaiulani.

The CHAIRMAN. Do gentlemen belonging to different political parties and elements meet there on terms of friendship and cordiality?

Mr. MACARTHUR. Entirely so. It is the most good-natured club you ever saw.

The CHAIRMAN. And there they discuss questions of annexation?

Mr. MACARTHUR. It is all good-natured.

The CHAIRMAN. They entertain discussions on that question?

Mr. MACARTHUR. Yes.

The CHAIRMAN. Having reference to prosperity, etc.?

Mr. MACARTHUR. Yes.

The CHAIRMAN. In those club meetings does good feeling prevail?

Mr. MACARTHUR. Certainly.

The CHAIRMAN. Will you say, as compared with like assemblages of gentlemen in the United States, there is any more feeling of friction or opinion there?

Mr. MACARTHUR. Not as much. There is less friction through all those islands than there is in any other country in the world that I ever saw.

The CHAIRMAN. You have traveled a good deal?

Mr. MACARTHUR. Yes; all over the world.

The CHAIRMAN. And your attention has been drawn, of course, to the observation of such questions?

Mr. MACARTHUR. Yes. They do not have any angry political discussions in the streets in Hawaii. They meet together, and they are the best-natured people in the world.

The CHAIRMAN. Political divisions do not enter into the social relations of the people?

Mr. MACARTHUR. No. In Hawaii the line of rank and descent was through the mother.

The CHAIRMAN. It is like it is among the Indian tribes of this country?

Mr. MACARTHUR. Yes. That is the reason they prefer to have a Queen to a King.

To STENOGRAPHER: Senator MORGAN directs that the following be added to my testimony.

C. L. MACARTHUR.

CHAIRMAN. Anything else?

MACARTHUR. I have, by late steamer, reliable information that there is danger that the reciprocity treaty with the United States will be repealed unless the present tension is relieved. The imports from the United States under that treaty in 1892 amounted to $3,838,359.91. Nearly all this was admitted to Hawaii free, whereas as to other competing countries the Hawaiian tariff ranges from 10 to 25 per cent on such imports. With the abrogation of the reciprocity treaty goes the privilege of our acquiring the Pearl Lochs for a naval station.

There are 915,000 acres of crown lands. The rental from these is stated at about $75,000 annually. The Provisional Government has them now. In addition the other Government lands are 851,071 acres, valued at $1,729,700, on which there is a yearly rental paid to the Provisional Government from portions leased of $58,863.

SWORN STATEMENT OF ADMIRAL GEORGE BELKNAP.

The CHAIRMAN. What is your profession?

Mr. BELKNAP. I am a rear-admiral in the Navy, on the retired list.

The CHAIRMAN. We are interested to know, and I think the people of the United States are very much interested in knowing, whether the Hawaiian group of islands, with its base, and particularly Pearl Harbor, is of real importance to this country and its defense in a military and a naval sense; and, if you think it is, or if it is not, what are the general reasons on which you predict that opinion?

Mr. BELKNAP. I think it is a matter of prime importance to the people of the United States to acquire those islands. I think, in view of the present state of affairs, the coming growth of the population of the Pacific coast, and especially when the Nicaraguan Canal shall have been completed, that those islands will form the most important commercial and strategic point in the Pacific Ocean. I think it would be a suicidal policy on the part of the United States to allow Great Britain or any other European power to get any foothold on those islands.

The CHAIRMAN. That policy seems to have been anticipated on the part of the United States for perhaps forty or fifty years, so that the question would then arise, of course, whether it would be better for us in the sense of protecting our commerce and our coast to assume the control of the Hawaiian group of islands, in order that we might there establish our naval station and have in the middle of the Pacific Ocean a means of offense and defense against the fleets of Europe and Asia?

Mr. BELKNAP. I think we ought to assume control right away. And as to the fleets of Europe attacking those islands, I think they have their hands full in looking out for their own interests in other parts of the world.

The CHAIRMAN. You have been on the islands?

Mr. BELKNAP. Yes; I have been there twice.

The CHAIRMAN. And I suppose you have some acquaintance with Pearl Harbor?

Mr. BELKNAP. I never went to Pearl Harbor.

The CHAIRMAN. Do you know where it is located?

Mr. BELKNAP. I know where it is located.

The CHAIRMAN. And its general character?

Mr. BELKNAP. Yes, sir.

The CHAIRMAN. And you also have a general acquaintance with the Bay of Honolulu?

Mr. BELKNAP. Yes; in my judgment Honolulu is one of the easiest defended ports in the world. They talk about ships attacking that harbor, the fact is they can not do it successfully. A few heavy guns properly located would keep them away.

The CHAIRMAN. You speak of the rim of mountains back of Honolulu?

Mr. BELKNAP. Yes; Punch Bowl and other mountains back of Honolulu. It is constantly rising ground back of the city.

The CHAIRMAN. Do you think it would be feasible to establish batteries around on the reef in Honolulu Bay?

Mr. BELKNAP. No; it is not feasible. It is only a half mile from shore, and that would not be necessary.

The CHAIRMAN. With long-range artillery would we be able to give the harbor any perfect protection?

Mr. BELKNAP. Yes. They talk about long-range guns. It is all nonsense. They can not get the range on ship that they can on shore. I landed a force in Honolulu in 1874 and kept it there a week. That was when Kalakaua was elected King. If you will allow me I will tell you the circumstances.

The CHAIRMAN. I think that is what Senator Frye desires to examine you about. Proceed with your statement.

Mr. BELKNAP. I arrived there on the *Tuscarora* from San Diego. We had been engaged in making deep-sea soundings. We arrived at Honolulu on the 3d of February, 1874. As we went into the harbor we noticed a throng of people on the wharf and streets. As soon as the pilot came on board we learned that King Lunalilo had just died. It was too late to call on the minister that day, but at 10 o'clock the next morning I went on shore. The minister was then Mr. Henry A. Pierce.

The CHAIRMAN. From what State was he?

Mr. BELKNAP. Massachusetts. He had been in Honolulu for many years, and he made a fortune. He came back to the United States and lost it. Then Gen. Grant made him minister. Mr. Pierce told me that the Legislative Assembly would meet on the 12th of that month, and would elect a successor to King Lunalilo, he having died without designating his successor. It became necessary therefore under the constitution that the Legislature should elect the King. Mr. Pierce said there were two candidates in the field; one was David Kalakaua, the son of a high chief; the other a widow of Kamehameha IV—Queen Emma. There were large numbers of natives and a great body of Americans who favored Kalakaua as being the better person for American interests, while some of the natives, and particularly those belonging to the English church, and the greater part of the English people, headed by the British minister, wanted Queen Emma. Mr. Pierce said he thought there would be trouble, and wanted to know if I would land a force in case it were necessary to do so.

The CHAIRMAN. I want to ask right there whether or not there was a distinctive British influence in Hawaii, as there was an American interest, and were they controverting with each other for the real control of the politics of the islands?

Mr. BELKNAP. I think that was undoubtedly the case. Mr. Wodehouse, the British commissioner, was there. He is now the minister. He has been there for a number of years; I think he has been there over thirty years.

The CHAIRMAN. So that the advocacy and promotion of British interests in Hawaii, you think, were as manifest as those of the American interests?

Mr. BELKNAP. Beyond a doubt. Wherever you find an American minister or consul in any part of the world attempting to further the interests of the United States the English always secretly undermine the efforts of the consul and minister. That has been my observation the world over.

Senator BUTLER. Do you think that proceeds from the English people realizing the fact that the commercial competition is to be between the two great nations?

Mr. BELKNAP. I think it does in a measure. If any American goes beyond a native of Great Britain, it is continually a thorn in the side of the English people.

Senator FRYE. Now I will be pleased to have you go on with your statement.

Mr. BELKNAP. I told Mr. Pierce that I would do everything possible. I arranged that day a system of signals by which Mr. Pierce could signal to me on board the ship if he found it necessary.

The CHAIRMAN. Was there at that time any outbreak or riot?

Mr. BELKNAP. No.

The CHAIRMAN. Simply expectation?

Mr. BELKNAP. Yes.

Senator FRYE. An outbreak liable to occur at any time?

Mr. BELKNAP. Yes.

The CHAIRMAN. You made arrangements beforehand for the landing of the troops?

Mr. BELKNAP. Yes. There was a British man-of-war in the harbor, and we did not want him to get ahead of us. We arranged a system of signals with lanterns and rockets at night and a flag by day. On the morning of the meeting of the Legislature I determined to attend and witness the proceedings in company with the minister. Capt. Skerrett and I—Capt. Skerrett commanded the *Portsmouth* which arrived in Honolulu the morning after we did—went to the legislative hall. We staid there and saw the organization of the Assembly. As a ballot was about to take place we left the hall and remained outside. Perhaps in a quarter of an hour after that the voting was finished and the ballots were counted, and it was found that Kalakaua had received 39 votes and Queen Emma 6. Kalakaua was declared elected. As soon as this news was given outside of the court-house, where the Legislature was in session, the adherents of Queen Emma broke out into a riot. They rushed up the back way, through a door in the back, into the hall, or through the windows out into the legislative assembly and then began to club the members and senators, I do not know which, broke chairs, smashed tables and windows, and threw all they could lay their hands on out into the street. A large party of them assembled about Queen Emma's residence, and they were making threats to devastate the town.

While this riot was in progress I said to Mr. Pierce, "I had better land the force now." He said: "No; wait a little while." Finally, Mr. Bishop, who was prime minister, minister of foreign affairs under the King-elect, said to Mr. Pierce: "We would like to have the force landed now." So that I immediately sent a messenger down to the wharf where D. C. Murray lived, and had a signal run up. In about ten minutes our men were landed—180 men, seamen, officers, and

marines, and they marched up to the court-house, formed a column in front of it, and sent one company up into the hall to clear it out.

Senator FRYE. The legislative hall?

Mr. BELKNAP. The legislative hall—to clear it out. I think that in less than ten minutes after arriving on the scene of action everything was quiet there.

Senator BUTLER. Did that company meet with any resistance?

Mr. BELKNAP. No. The rioters had nothing but clubs to resist with, and they attempted no resistance. But the police of the Government had torn off their badges and some of them had joined the rioters, so that there was nothing to do but to land the troops to preserve order.

The CHAIRMAN. Was any force landed from any other ship?

Mr. BELKNAP. Capt. Ray, who was commanding Her Majesty's ship *Tenedos*, instead of staying in town that morning, went out horse riding, and his executive officer did not act at first upon the request of the British minister. They had no signals to send off to the ship to call the men on shore. But within half an hour after our men got on shore and the riot was quelled, the detachment from the *Tenedos* came marching up to the court-house.

Senator BUTLER. A detachment from the British ship?

Mr. BELKNAP. British ship. Mr. Pierce turned to Mr. Wodehouse and said, "You had better withdraw this force and send it up to Queen Emma's."

Senator BUTLER. Which force?

Mr. BELKNAP. The American minister said, "You had better advise your officers to go up to Queen Emma's house and disperse the crowd there." Capt. Ray did not get back into town until late in the afternoon. Some few months after he was relieved of the command of that ship, ordered home, and never had an hour's duty from that time forward.

Senator FRYE. They did not like it that the Americans should get ahead of them?

Mr. BELKNAP. No; they did not. The Englishmen resident there in the islands were very much chagrined, particularly Mr. Wodehouse.

The CHAIRMAN. The riot was quelled?

Mr. BELKNAP. Yes.

The CHAIRMAN. Peace restored?

Mr. BELKNAP. Yes.

The CHAIRMAN. Order established?

Mr. BELKNAP. Yes.

Senator FRYE. And Kalakaua was preserved on the throne?

Mr. BELKNAP. Yes.

Senator FRYE. Did you go there to establish him on the throne?

Mr. BELKNAP. No; but to preserve order.

Senator FRYE. And his establishment on the throne was a mere incident.

Mr. BELKNAP. Yes.

Senator FRYE. If you had not gone on shore, would not Queen Emma's troops have routed them?

Mr. BELKNAP. I think they would; I think there is no question about it.

Senator FRYE. What did you go on shore for?

Mr. BELKNAP. To preserve order and protect the American minister; preserve life and property of American residents. In my judgment it was necessary to land the force for such purpose; it was also in the interest of the United States that Kalakaua would rule in those islands,

instead of Queen Emma, because if she had been elected Queen her influence would have been thrown in favor of England.

Senator FRYE. Still, as a United States naval officer, you did not think you had any right to take sides in the fight?

Mr. BELKNAP. No; none whatever.

Senator FRYE. But if it resulted in the retention of Kalakaua you would congratulate the American people upon that fact?

Mr. BELKNAP. Yes.

Senator FRYE. Have you been in various other places where troops were landed?

Mr. BELKNAP. Yes.

Senator FRYE. Were they ever landed on the order of the minister?

Mr. BELKNAP. No. When I commanded the Asiatic squadron Mr. Swift said to me, "You would not obey my order to land troops?" I said, "No; I could not do that; it is against the regulations—we are ordered to maintain relations of the most cordial character with the ministers and consuls of the United States, and when they make requests we are obliged to consider them in all their light and bearings and govern ourselves accordingly." We are responsible for our acts to the Secretary of the Navy alone. That is the principle on which I acted in Honolulu.

Senator BUTLER. If you were to receive an order from the Secretary of the Navy to take an order from a minister would you obey him?

Mr. BELKNAP. The orders of the Secretary of the Navy are the orders of the President of the United States.

Senator SHERMAN. Does not the Secretary of the Navy always speak in the name of the President of the United States?

Mr. BELKNAP. Yes.

Senator FRYE. I read from Article XVIII of the present Naval Regulations:

"The officer in command of a ship of war is not authorized to delegate his power, except for the carrying out of the details of the general duties to be performed by his authority. The command is his, and he can neither delegate the duties of it to another nor avoid its burdens, nor escape its responsibilities; and his 'aide or executive' in the exercise of the power given to him for 'executing the orders of the commanding officer,' must keep himself constantly informed of the commander's opinions and wishes thereon, and whenever, and as soon as he may be informed or is in doubt as to such opinion or wishes, he must remedy such defect by prompt and personal application, to the end that the authority of the captain may be used only to carry out his own views, and that he may not be, by its unwarranted exercise, in any measure relieved from his official responsibilities, which can neither be assumed by nor fall upon any other officer."

Do you understand those to be the present regulations?

Mr. BELKNAP. Yes.

Senator FRYE. Then—

"He shall preserve, so far as possible, the most cordial relations with the diplomatic and consular representatives of the United States in foreign countries, and extend to them the honors, salutes, and other official courtesies to which they are entitled by these regulations.

"He shall carefully and duly consider any request for service or other communication from any such representative.

"Although due weight should be given to the opinions and advice of such representatives, a commanding officer is solely and entirely

responsible to his own immediate superior for all official acts in the administration of his command. * * *

"On occasions where injury to the United States or to citizens thereof is committed or threatened, in violation of the principles of international law or treaty rights, he shall consult with the diplomatic representative or consul of the United States, and take such steps as the gravity of the case demands, reporting immediately to the Secretary of the Navy all the facts. The responsibility for any action taken by a naval force, however, rests wholly upon the commanding officer thereof."

Now, suppose you were in command of a ship in the harbor of Honolulu, and the Secretary of the Navy should send you an order to obey the order of William P. Frye, then a resident in Honolulu and not in the naval service, would you be obliged to obey any order of William P. Frye?

Mr. BELKNAP. No.

Senator FRYE. Would not that order which had been sent to you to obey William P. Frye be illegal?

Mr. BELKNAP. I think it would be.

Senator FRYE. Suppose you were there with a ship, and a man by the name of James H. Blount, whom you knew to be a commissioner appointed by the President of the United States to remain in those islands for certain purposes, should send you an order to land your troops for any purpose, would you, as a naval officer, feel under the slightest obligation to obey the order?

Mr. BELKNAP. I would first demand his authority for issuing any order of that sort.

Senator FRYE. Suppose you should ask his authority, and he should read this to you:

"DEPARTMENT OF STATE,
"*Washington, March 11, 1893.*

"To enable you to fulfill this charge, your authority in all matters touching the relations of this Government to the existing or other government of the islands and the protection of our citizens therein is paramount; in you alone, acting in cooperation with the commander of the naval forces, is vested full discretion and power to determine when such forces should be landed or withdrawn."

Suppose you should receive such an order as that from the Secretary of the Navy, would you feel bound to obey such order?

Mr. BELKNAP. I should think that was in direct violation of the Regulations of the U. S. Navy.

Senator FRYE. Then——

"MARCH 11 1893.

"SIR: This letter will be handed you by the Hon. James H. Blount, special commissioner by the President of the United States to the Government of the Hawaiian Islands. You will consult freely with Mr. Blount and will obey any instructions you may receive from him regarding the course to be pursued at said islands by the force under your command. You will also afford Mr. Blount all such facilities as he may desire for the use of your cipher code in communicating by telegraph with this Government.

"HILARY A. HERBERT,
"*Secretary of the Navy.*

"Rear-Admiral J. S. SKERRETT,
"*Commander in Chief U. S. Naval Forces, etc.*"

Suppose you, as commanding officer, had received from the Secretary of the Navy an order that you should obey the instructions and directions of a man by the name of James H. Blount, then temporarily a resident in the Islands of Hawaii and a commissioner on the part of the United States, would you then feel obliged to obey his instructions?

Mr. BELKNAP. What is a commissioner?

Senator FRYE. He is nothing, in my opinion. Call him a minister plenipotentiary.

Senator BUTLER. Suppose, when you called upon Mr. Blount for a copy of his instructions he should give an authority from the President of the United States, who is Commander in Chief of the Army and Navy of the United States, would you then feel obliged to obey the order?

Mr. BELKNAP. Yes.

Senator FRYE. Suppose the authority from the President of the United States was an appointment as special commissioner for the purpose of making an investigation in the Hawaiian Islands, and the President of the United States should direct you by an order to obey the orders of this commissioner, would you feel obliged to do it?

Admiral BELKNAP. Yes, if it implies that Mr. Blount was to exercise paramount authority in naval matters; but the authority conferred upon him is qualified by the words "acting in cooperation with the commander of the naval forces," which I submit implies consultation and joint action of the parties concerned. If he should order me to make war upon the Government of those islands I should feel that I could not do it, for under the regulations I would have been held solely responsible for the act of war.

Senator FRYE. Even with these instructions from the President of the United States, under the regulations of the Navy Department does not the responsibility still remain with the commanding officer?

Mr. BELKNAP. It does still remain.

Senator FRYE. Is there any way of relieving the officer of that responsibility? If the President of the United States or the Secretary of the Navy were to send an order direct to you to land troops or refrain from landing troops that would relieve you from responsibility?

Mr. BELKNAP. That would relieve me.

Senator FRYE. But sending an order to you to obey the instructions of somebody else can not change the responsibility from you to somebody else?

Mr. BELKNAP. No, not under the terms of the regulations.

Senator BUTLER. That proceeds upon the theory that no naval officer is bound to obey an illegal order, and he is the sole judge as to whether it is illegal?

Mr. BELKNAP. Yes, in so far as law and regulation covers the particular case.

Senator FRYE. This is addressed to Rear-Admiral Skerrett.

"HONOLULU, *March 31, 1893.*

"SIR: You are directed to haul down the United States ensign from the Government building, and to embark the troops now on the shore to the ship to which they belong. This will be executed at 11 o'clock on the 1st day of April.

"I am, sir, your obedient servant,

"JAMES H. BLOUNT,
"*Special Commissioner of the United States.*"

Do you regard that as a legal order?

Mr. BELKNAP. I have been in the naval service nearly forty-seven years, and that is the most peremptory order I ever saw issued by anybody. If Mr. Blount wanted that done he might have requested the admiral to do it, after consultation with him. Such would have been the courteous and cooperative course.

Senator FRYE. Do you think Mr. Blount had any right to give any such order?

Mr. BELKNAP. I do not think he had, at least in such peremptory terms. There was no cooperation there.

Senator FRYE. And if the obeying of that order involved the taking of human life would you, as the commander of a ship, have obeyed it?

Mr. BELKNAP. No; because I would have been held responsible if anything happened. Such order would not have relieved me from the responsibility imposed upon me by the regulations.

Senator FRYE. Notwithstanding the directions of the Secretary of the Navy, notwithstanding the instructions of the Secretary of State to Mr. Blount, notwithstanding Mr. Blount's direct order, under the Naval Regulations you would not be relieved from responsibility as a naval officer in command?

Mr. BELKNAP. I would not have been relieved, but I would have withdrawn that force if the minister wished it.

Senator FRYE. I understand that. If there were no great responsibility, overwhelming responsibility, you would comply with the wishes of the minister just the same?

Mr. BELKNAP. Yes.

Senator FRYE. Now——

"U. S. LEGATION, HONOLULU, HAWAIIAN ISLANDS,
"*January 16, 1893.*

"SIR: In view of the existing critical circumstances in Honolulu, indicating an inadequate legal force, I request you to land marines and sailors from the ship under your command for the protection of the U. S. legation and the U. S. consulate, and to secure the safety of American life and property.

"Yours, truly,

"JOHN L. STEVENS,
"*Envoy Extraordinary, etc., of the United States.*

"To Capt. C. C. WILTSE."

Do you regard that as a perfectly legitimate request, and properly made?

Mr. BELKNAP. That is perfectly legitimate; a request I have had made to me a half dozen times during my service.

Senator FRYE. That request does not compel you to land troops?

Mr. BELKNAP. It does not; it is a proper, legitimate, and courteous request from one official to another.

Senator FRYE. You would learn, as a naval officer, all you could with regard to the existing conditions, and if, in your judgment, the safety of the legation and the consulate and the security of life and property were of such a character as to require the landing of troops, you would land them?

Mr. BELKNAP. Yes. It is the business of an officer to inform himself thoroughly before taking such grave action.

Senator FRYE. But notwithstanding the fact that you had received that request, if you had determined from your own investigations,

made through your own officers, that the landing of the troops was not necessary, you would not land them? In other words, the thing is still left entirely in your charge?

Mr. BELKNAP. Yes; but if I do not comply with the request and anything happened detrimental to the United States I am responsible. The regulations hold me to that.

Senator BUTLER. It has become a question of tweedledum and tweedledee between Mr. Blount and Mr. Stevens—one is a request and the other a command. Suppose Admiral Skerrett had declined, on his responsibility, to take down the flag and send his troops back on the ship, and anything had happened to the American legation and American life and property, Admiral Skerrett would have been responsible?

Mr. BELKNAP. Yes.

Senator FRYE. Would he not have been tried by a court-martial?

Mr. BELKNAP. Yes.

Senator FRYE. And would he not have read the Naval Regulations, which are law, to determine whether he had obeyed the regulations?

Mr. BELKNAP. Yes.

Senator BUTLER. The same responsibility rested on Admiral Skerrett in declining to obey the order as rested on him in obeying it—if anything had happened to American interests in Honolulu by the American troops remaining on shore, he would have been responsible. So that the responsibility is pretty well understood to be that an Army or Navy officer sent off on an expedition of that kind is vested with a certain amount of discretion?

Mr. BELKNAP. He is to determine in his own mind what the interests of the Government demand. During this last cruise I sent officers and men up to the capital of Korea, 40 miles from Chemulpo. I received a telegraphic order to cooperate with the minister, and when the minister sent to me for a force I dispatched it to him in conformity with the order of the Secretary of the Navy to cooperate with the minister.

Senator BUTLER. You did it on your own responsibility.

Mr. BELKNAP. On my own responsibility, in interpretation of the orders of the Secretary, the wishes of the minister, and of my own personal knowledge of Korean affairs.

Senator FRYE. Before this order of the Secretary of the Navy, given to Admiral Skerrett to obey the orders of Mr. Blount, did you ever know of any such order?

Mr. BELKNAP. I never heard of it.

Senator FRYE. Did you ever know of a minister or commissioner in a foreign country making such an order as Mr. James H. Blount made to Admiral Skerrett? I refer to the one I have just read.

Mr. BELKNAP. Never. As I said before, it is the most peremptory order I ever saw in print.

Senator FRYE. The order of Capt. Wiltse to the officers who took the troops on shore is as follows:

"SIR: You will take command of the battalion and land in Honolulu for the purpose of protecting our legation, consulate, and the lives and property of American citizens, and to assist in preserving public order."

Now, I would like to ask you what are the rights of officers in command of ships in foreign countries touching the matter of preservation of public order? That part of Capt. Wiltse's order was not in response to the request of Mr. Stevens. He said nothing about public order;

he adopts the old diplomatic form of expression, protection of life and property; whereas Capt. Wiltse in his order uses the additional expression, "assist in preserving public order." What do you understand to be the rights of a commanding officer with regard to preserving public order in foreign countries?

Mr. BELKNAP. All the foreign countries are not alike as regards the conduct of ships of war. There are small governments where the fleets would act differently from what they would in larger countries; but the landing of a force is a grave act and should always be well considered.

Senator BUTLER. And I suppose they are in large measure controlled by the treaty stipulations of those countries?

Mr. BELKNAP. In great measure; but in Honolulu there is not a street, there is not a precinct, there is not a corner of it where an American is not living or has not his business and property, and to protect that property it is necessary, in case of a riot, where the police can not control, to land a force from a ship.

Senator FRYE. Then you would say that Capt. Wiltse, if in his judgment he thought there was liability of a riot and the likelihood of the destruction of American property, had a right to order his troops ashore, one of his purposes being to preserve public order?

Mr. BELKNAP. Yes; I would have done the same thing under the same circumstances.

Senator FRYE. So that when you landed your troops in 1874, notwithstanding the fact you knew the result of landing those troops and interfering with that mob to preserve public order would result in the maintenance of King Kalakaua on the throne, you would have done what you did by way of landing the troops and putting down the riot?

Mr. BELKNAP. Yes.

Senator FRYE. It is not for the officer or minister to take into consideration what would be the effect of such landings and putting down of riots; he is concerned simply in the fact that they are landed for the purpose of protecting life and property?

Senator BUTLER. That is true in time of peace, not in time of war?

Mr. BELKNAP. In time of war it would be a different question.

Senator BUTLER. For instance, you would not feel warranted in landing a force at Rio now?

Mr. BELKNAP. No; so far as I understand the situation at this distance.

Senator BUTLER. Mr. Frye asked you some questions with regard to the power of naval officers. Suppose you were in charge of the Charleston, we will say, at the port of Liverpool or Copenhagen, and you were ashore and a riot were about to break out, would you feel authorized to land a force to protect American property?

Mr. BELKNAP. No, unless the Government confessed its inability to afford protection.

Senator BUTLER. So that it is not universal?

Mr. BELKNAP. No.

Senator FRYE. How about Panama?

Mr. BELKNAP. In Panama we have the right by treaty. I landed there myself.

Senator BUTLER. But it is not a universal rule?

Mr. BELKNAP. No.

Senator BUTLER. It is done in pursuance of some treaty stipulations between our Government and the government where the troops are landed.

Mr. BELKNAP. Yes; for the protection of the treaty.

Senator BUTLER. Otherwise you would not think of doing such a thing?

Mr. BELKNAP. No; such conditions could not exist there. When I was a midshipman on board the frigate *Puritan*, at Valparaiso, Chile, they held a presidential election in that country, and the party defeated in that election got up a revolution, and one afternoon we landed the troops. We landed a force on that shore, and we remained on the wharf there several hours; the British ships did the same thing. We did not proceed up into town, but we were there for the purpose of protecting the consulate if necessary. In November, 1863, the Chinese at the Barrier Forts fired on our flag. They fired from two of four forts; we captured all those forts, blew them up, razed them to the ground, and retired.

Senator BUTLER. That was an act of war.

The CHAIRMAN. But the firing began the war.

Mr. BELKNAP. The commodore in command was commended by the Secretary of the Navy for such action.

Senator BUTLER. You would do that in Liverpool?

Mr. BELKNAP. Yes; if the flag was deliberately fired upon.

Senator BUTLER. If your flag were fired upon, you would not stop to consider the strength of the Government, but would fire in return?

Mr. BELKNAP. Yes.

The CHAIRMAN. I have drawn up a question which, according to my view, presents the true relations of the commander of a ship in a port to the minister of the United States who may be resident there at the time. When a war ship of the United States is in a port where there is a civil commotion which threatens to become riotous, to endanger the treaty rights of the citizens of the United States, and the question arises whether it is proper to land troops to preserve order, is it not the right and duty of the minister of the United States to ascertain and determine whether the condition of the country is such as to require the landing of troops? In such a case, and as to the question whether the necessity for the landing of troops actually existed, you would feel bound, I suppose, if in command of a war ship of the United States, to respect and follow the request of the minister of the United States to land the troops?

Mr. BELKNAP. A minister of the United States, of course, has a perfect right to make any request of that sort of the commander of a ship, of a squadron, but it is the duty under the regulations of the Navy Department for the commanding officer of the ship to examine the matter himself and to decide for himself whether he ought to land the force or not, because the responsibility under the regulations of the Navy Department finally rests upon him. If any great mistake is made by which injury comes to the United States in their interests, or any citizen suffers harm through the action of a commander in chief or a commander of a vessel, he is responsible. On the contrary, if he make a mistake in landing the force he is also responsible under the regulations.

Senator FRYE. In the recognition of a *de facto* government, to whom does the recognition belong—to the minister of the United States resident in such country or to the naval officer?

Mr. BELKNAP. It belongs to the minister.

Senator FRYE. The naval officer has nothing to do with that question of recognition?

Mr. BELKNAP. Nothing to do with it. I was commander of the war

ship *Alaska* when the minister of the United States in Peru, Mr. Christiancy, recognized a new government during the Chilean-Peruvian wars. That government was overthrown, and when Mr. Hurlbut became minister he recognized another government.

Senator FRYE. You were there all the time?

Mr. BELKNAP. Yes. When I was at Honolulu in 1874 everything was at the lowest ebb; property was worth nothing, the people could hardly get along. But that fall of 1874 Kalakaua, accompanied by the American minister, Mr. Pierce, came the United States and a treaty of reciprocity was negotiated. From that moment an era of prosperity dawned upon those islands and trade there increased several hundred per cent. I think the 35,000,000 pounds of sugar exported from there in 1875 went up to 136,000,000 pounds in 1890; and the product of rice increased in the same proportion. In fact the United States made those islands what they are—gave them all their prosperity. The town of Honolulu is as much an American town as any town in this country. In 1882, when commanding the *Alaska*, I was sent in great haste to Honolulu from South America because troubles were apprehended there. The reciprocity treaty was about to expire, and many people there were afraid that the United States would not renew it. Furthermore, Kalakaua had gone into such extravagant expenditures that the people were getting restive under it. After being King for eight years he took the foolish notion into his head to be crowned, a ceremony carried out at enormous expense, and the taxpayers of the islands, a majority of whom were Americans, were stirred up over it and trouble was apprehended.

I arrived there early in September, 1882, and I stayed there two months. During that time there was a meeting of all the planters on the islands in a convention at Honolulu. There was considerable excitement, but finally, after some conferences with the Government, the convention adjourned and everything passed off quietly. There was no trouble; but at that time I was prepared to land a force in case of any outbreak. The English were very anxious to know what we were going to do. Mr. Wodehouse, the British commissioner, was there. One afternoon, or one morning, rather, Mr. Dagget, our minister, and myself got an invitation to dine on a British man-of-war which was in the harbor. We were somewhat surprised at that. When we went on board to dinner that evening we found Mr. Wodehouse there. During the dinner champagne flowed pretty freely. After the coffee and cigars were brought in Mr. Wodehouse attempted to find out what we were going to do there in a certain emergency. But they got no satisfaction; Mr. Dagget and I simply confined ourselves to general talk. I commanded at Mare Island from 1886 to 1889. That was during Mr. Cleveland's first administration. Grave troubles were apprehended at Honolulu at that time, and we kept our ships constantly there. One afternoon I received a confidential telegram from the Secretary of the Navy asking me if I could be ready at a moment's notice to go over to Honolulu. I telegraphed back "yes." Two or three days after that I got a telegram from the Secretary of the Navy saying that, after a consultation with Mr. Bayard, Secretary of State, they had concluded to send an order over to the minister by a telegram through me, which I sent direct from the navy-yard to Honolulu.

Senator FRYE. Do you know what the nature of that telegram was?

Mr. BELKNAP. I do not remember it, but it must be on file in the Navy Department. For the last ten years we have kept our ships in

Honolulu all the time. Admiral Kimberly was there a solid year. Admiral Brown was there for more than a year, and for some reason or other our Government has been obliged to keep that port guarded by our ships of war. I take it that the interests of the United States have gotten so great that that was a necessary policy to pursue. Since the Canadian Pacific line has been opened (they have a line of steamers now from Vancouver to Australia and New Zealand, touching at Honolulu) it has become vastly more important for the interests of Great Britain to acquire those islands than it has ever been before. I believe to-day that the Canadian authorities are making every effort to divert trade from those islands to Canada.

Senator FRYE. I suppose in landing troops for the preservation of American life and property you do not feel it incumbent upon you to wait until an outbreak has actually happened?

Mr. BELKNAP. Not always.

Senator FRYE. If a certain thing is to happen which is likely to produce an outbreak, like an election, such as that of Kalakaua, you feel yourself at liberty to get ahead of that?

Mr. BELKNAP. That was what was done at Corea. There was no outbreak; but the minister requested the presence of the troops, and the King was afraid for his life.

Senator FRYE. If you found that the Provisional Government on a certain day, say Monday, at 2, 3, or 5 o'clock, or at any time in the day, was going to take actual possession of the Queen's public buildings, and dethrone her absolutely, you would not deem it necessary to wait until that had taken place for the landing of the troops?

Mr. BELKNAP. No; not if convinced that riot would ensue.

Senator FRYE. But owing to the liability of its taking place and the likelihood of a riot, you would land your troops?

Mr. BELKNAP. Yes; under the peculiar condition of affairs at the moment.

Senator FRYE. What is your judgment as to what it would cost to fortify Honolulu?

Mr. BELKNAP. I have not any doubt that $5,000,000 would put Honolulu in a most perfect state of defense, with guns mounted in earthworks.

The CHAIRMAN. If you desired to control the Pacific Ocean, North Polynesia, in a military sense, either for an offensive or defensive operation in reference to the protection of the western coast of the United States, including Alaska, is there any place on that coast or elsewhere in the Pacific Ocean which you would consider so important to the United States as the Hawaiian group, if we had there a fortified port or naval station?

Mr. BELKNAP. I know of no point in the Pacific Ocean which we should hold as good as the Hawaiian Islands, especially Honolulu.

The CHAIRMAN. You think it would be a great national misfortune to have any other flag than ours put there?

Mr. BELKNAP. Yes; most emphatically.

The CHAIRMAN. Or if the flag of any foreign country should be put there would that alter your opinion as to the merit or value of the possession for the protection of our western coast and our commerce in the Pacific Ocean?

Mr. BELKNAP. So long as there is no other flag there it is always an open question; it involves the liability of troublesome questions arising all the time. Our flag should be there, in my opinion.

The CHAIRMAN. Suppose some foreign power should close the question by coming in and occupying the islands, if they saw fit to do it, as a base of operations against the United States, would you not consider that a great calamity to this country?

Mr. BELKNAP. A very great calamity. Great Britain now has Puget Sound, which she ought not to be permitted to hold a single day, in my judgment. Especially with the Nicaragua Canal Honolulu will be a port of call of all the ships in the Pacific Ocean.

The CHAIRMAN. Is it indispensable to have a port to recoal in the Pacific Ocean?

Mr. BELKNAP. Yes; and Honolulu is a splendid harbor.

The CHAIRMAN. Well sheltered?

Mr. BELKNAP. Well sheltered. Another peculiarity of the Hawaiian Island is, the climate is so fine and equable, they have no violent storms, such as they usually have in the tropics. We ought to have our flag there, and we ought to have a cable connecting the islands with the United States.

The CHAIRMAN. In your survey for the route for the cable between San Diego and Honolulu, did you find any practical obstructions?

Mr. BELKNAP. No. We have made a closer survey since my survey and found that a cable can be very readily laid.

The CHAIRMAN. I am informed that you made a survey for a cable route also, extending from the coast of Japan in the direction of the United States along the Aleutian range?

Mr. BELKNAP. Yes.

The CHAIRMAN. State whether you found the route practicable for a cable.

Mr. BELKNAP. I found the route practicable, except the very deep water, which I think would be obviated by going a little further north.

The CHAIRMAN. A large part of that route would be on land if you chose to make it?

Mr. BELKNAP. It would be cheaper to have it in water.

The CHAIRMAN. Is that ocean troubled with icebergs to interfere with the laying of a cable?

Mr. BELKNAP. Not where you would lay the cable. I think possibly sometimes the Pacific mail steamers have encountered them, when they have gone north, in very high latitudes; but I have not seen icebergs in the Pacific Ocean except off Cape Horn.

The CHAIRMAN. Did you take the temperature of that ocean current?

Mr. BELKNAP. Yes.

The CHAIRMAN. What would you say was the average temperature?

Mr. BELKNAP. It was 8° or 10° higher than the rest of the ocean, so far as I remember.

The CHAIRMAN. It is decidedly a warm current?

Mr. BELKNAP. Very warm current.

The CHAIRMAN. A heavy flow of water?

Mr. BELKNAP. Very heavy; similar to our Gulf Stream.

The CHAIRMAN. It is that current which keeps warm the coast of California and Oregon?

Mr. BELKNAP. Yes.

The CHAIRMAN. And also keeps open Bering Straits?

Mr. BELKNAP. Yes.

The CHAIRMAN [exhibiting a newspaper article from the Boston Journal of December 20, 1893]. Is this a correct statement?

Mr. BELKNAP (after examining). Yes.

The statement is as follows:

Rear-Admiral George E. Belknap writes to the Journal the following very interesting letter regarding Hawaiian matters:

"*To the Editor of the Boston Journal:*

"The letter of ex-Minister P. C. Jones, of Hawaii, published in this morning's Journal, is in error in one point.

"He says that 'in 1874 Minister Pierce ordered Capt. Belknap to land a force of marines at Honolulu, which was done.'

"Mr. Pierce gave no order of that character, nor was he empowered to do so by the regulations controlling the intercourse of diplomatic and naval officers on foreign stations. The regulation governing the intercourse of naval commanders with ministers and consuls of the United States at that period was as follows: 'He (the naval commander) will duly consider such information as the ministers and consuls may give him relating to the interests of the United States, but he will not receive orders from them, and he will be responsible to the Secretary of the Navy, in the first place, for his acts.'

"But the undersigned was in thorough accord with Minister Pierce, and, at his request and that of the King-elect, landed the force of blue-jackets and marines at Honolulu on the occasion referred to—12th February, 1874—suppressed the riot, restored order throughout the town, and occupied the most important points at that capital for several days, or until assured by the King's ministry that protection was no longer necessary.

"This action was taken, first, for the protection of American citizens and their property; second, because it was deemed imperative for the conservation of the interests of the United States to take decisive action at the Hawaiian capital at such crucial time. The English party, as it was called, had worked and intrigued for the election of Queen Emma to fill the throne made vacant by the death of Lunalilo, while Kalakaua was the candidate favored by most of the Americans at the islands.

"The party favoring the election of Emma were not content to abide the result of the election, for she having been defeated in the legislative assembly by a vote of 39 to 6 her partisans broke forth at once into riotous proceedings. The legislative hall was invaded, some of Kalakaua's adherents in the assembly were clubbed nearly to death, the furniture was destroyed, and the archives thrown into the street. Meanwhile the police had torn off their badges and mingled with the rioters, the Government troops could not be trusted, and the Government was powerless to act.

"At such juncture the request was made to land the force. Trouble had been apprehended, and preconcerted signals had been arranged, and in fifteen minutes from the time the signal was made companies comprising 150 officers, seamen, and marines, together with a Gatling gun, were landed from the *Tuscarora* and *Portsmouth* and marched to the scene of action. At the head of the column was a sergeant of marines, whose great height and stalwart proportion seemed to impress the wondering Kanakas more than all the rest of the force. He was some 6 feet 9 inches in height and his imposing appearance on that occasion is among the notable traditions at Honolulu to this day.

"The riot was soon suppressed and order restored. Half an hour after such action a detachment of blue jackets and redcoats was landed from H. B. M. ship *Tenedos*, but there was nothing left for such force to do. It has been asserted by some credulous people that Great Britain has no eye toward the Hawaiian group, but the English resi-

dents at Honolulu were much chagrined at the tardy action of the *Tenedos*, and it is a significant fact that her commanding officer was soon relieved, ordered home, and never got another hour's duty from the admiralty. Comment is unnecessary.

"GEO. E. BELKNAP.

"BROOKLINE, *December 19, 1893.*"

Adjourned until to-morrow, the 31st instant, at 10 o'clock.

SWORN STATEMENT OF NICHOLAS B. DELAMATER.

Senator FRYE. Give your name, age, and residence?

Mr. DELAMATER. My name is Nicholas B. Delamater; I am 47; I live in Chicago, Ill., and I am a physician.

Senator FRYE. Have you ever been in the Hawaiian Islands; if yes, when; how long were you there, and when did you leave?

Mr. DELAMATER. I went there in August, and left this last June.

Senator FRYE. What was your business while in the islands?

Mr. DELAMATER. Rusticating.

Senator FRYE. Did you become familiar with the islands and people while there?

Mr. DELAMATER. Somewhat?

Senator FRYE. Did you, at the request of Senator Cullom, make a written statement of facts that came under your observation while in the islands just before and during the revolutionary proceedings in January, 1893?

Mr. DELAMATER. I did.

Senator FRYE. I purpose reading that statement. During the reading, should you discover anything that you may desire to correct, you may do so:

"There are vast possibilities waiting capital. The coffee industry can be increased more than a hundredfold; the rice, banana, cocoanut vastly increased. Pineapples will in a few years be a large export. They can be raised there, with comparatively small capital and quick and large returns, of a very superior quality. Sugar lands enough, yet wild, to supply all comers for many years to come.

"There is a very small fraction of the available lands under cultivation.

"Heretofore everything has gone to sugar on account of the enormous profits in it, the average per acre being from 5 to 10 tons.

"This country is destined to be a very rich one.

"Now, as to the revolution."

The CHAIRMAN. What are the prospects of coffee culture in the Hawaiian group?

Mr. DELAMATER. I judge that they are very good. There are many quite good-sized plats there in between little mountain peaks where they can raise an exceedingly good coffee, and they raise a quality of coffee which one of my friends, a coffeeman in Chicago, says is among the best of coffees in the world.

The CHAIRMAN. Is coffee an indigenous plant there?

Mr. DELAMATER. No; I think there is nothing indigenous among those things.

The CHAIRMAN. It is very much like California?

Mr. DELAMATER. Very much like California. It is a volcanic structure altogether.

Senator FRYE. I will continue the reading:

"During the legislative session preceding the same there was a constant conflict between the Queen and Legislature as to the cabinet.

"The Legislature was composed of twenty-four representatives, elected by citizens who could read and write, and who had an income of $250."

Mr. DELAMATER. I think I am correct with regard to the income; but that you have.

Senator FRYE. You are not certain of it?

Mr. DELAMATER. Not exactly.

Senator FRYE. Then you say:

"Twenty-four nobles, elected by those with incomes of $600—these are annual incomes; and four cabinet ministers, appointed by the reigning monarch, subject to dismissal by vote of want of confidence by the Legislature."

Mr. DELAMATER. I do not know whether the four members of the cabinet are four members of the Legislature.

Senator FRYE. Then:

"There was finally a cabinet appointed of leading men, nonpoliticans mainly, and the individuals composing it represented several millions of property."

Was that the Wilcox-Jones cabinet?

Mr. DELAMATER. Yes.

The CHAIRMAN. I understand that those cabinet ministers became members of the Legislature *ex-officio*?

Mr. DELAMATER. Yes, *ex officio*.

The CHAIRMAN. It is not necessary, as in the Parliament of Great Britain, that they should be members of the legislature?

Mr. DELAMATER. No; *ex officio* they are members.

Senator FRYE. You say: "Shortly after this every one seemed easy. The lottery bill had apparently dropped out of sight, the opium bill had been defeated, the U. S. S. *Boston* went away for a week's practice, Minister Stevens going upon her; several members of the Legislature went home. The last week of that session a vote of want of confidence was passed by purchase and bribery, a new cabinet, of very shady character, was appointed, the lottery and opium bills were then revived and passed by open purchase."

The CHAIRMAN. When you speak of purchase and bribery, do you mean that you have any personal knowledge of that fact?

Mr. DELAMATER. I saw a couple of men——

The CHAIRMAN. Perhaps you had better name them.

Mr. DELAMATER. I did not know the men. I was simply in the legislative hall, the Government building. I do not know their names, and I should not remember them had I heard them at the time.

The CHAIRMAN. Did they have open transactions of that sort?

Mr. DELAMATER. It was common report upon the street.

Senator FRYE. I proceed: "There was no apparent attempt at concealment of the purchase of members of the Legislature. On a Saturday morning following the Queen prorogued the Legislature on notice from that body. She appeared in person in state and with her retinue. I was present. Her speech was one of peace and of the ordinary kind. Her guards, about 75 in number, marched over to the palace yard."

Mr. DELAMATER. I suppose you have a copy of that speech?

Senator FRYE. Yes. "Right across the street, drawn up in line, a

native society, according to prearrangement, immediately appeared and presented to the Queen a new constitution, demanding its immediate promulgation." Were these guards demanding its immediate promulgation?

Mr. DELAMATER. Yes.

Senator FRYE. You say: "She at once called on her cabinet to sign it. Part of them refused and went down town and notified the prominent and leading citizens."

Mr. DELAMATER. When I say they refused, I do not mean to say that I was in the room and saw them refuse.

The CHAIRMAN. That was the fact, as accepted by common understanding?

Mr. DELAMATER. Yes.

Senator FRYE. You go on to say: "Up to this time the plan of those who are now the Provisional Government was to get control through constitutional measures and the ballot, by compelling the Queen to recognize the right of a majority of the Legislature to name the cabinet ministers. That is, that the Queen should call on a member of the majority to form a cabinet, whom she would appoint. The outlines of the new constitution, it is claimed, were such as to give the reigning monarch absolute power.

"Excitement ran very high. Threats were freely made against anyone interfering with her plans, both by herself and her adherents. The leading men and members of previously opposite parties at once united, and felt that life and property demanded immediate action, instead of ordinary political methods. The *Boston*, with Minister Stevens, came into port about this time in total ignorance of what had occurred. Up to this time I had not called on Mr. Stevens and did not know him by sight. Excitement ran high Saturday afternoon and evening and Sunday. Steps were immediately taken to organize a volunteer military force for protection of property, and to my certain knowledge a very respectable force, composed of leading and prominent men—merchants, capitalists, planters, lawyers, professional men of all kinds, and others—was organized before Monday. A signal was decided on that would call them together very quickly should any emergency arise. The leaders as yet had no plan, and did not know what to look for.

"On Monday afternoon two large mass meetings were held, one by the present Provisional Government people, and the other by the Royalists. I was at the Royalists' meeting. Excitement was at high tension. Rumors of intention and threats of burning houses and stores were rife. I heard many Royalists say they desired Mr. Stevens to land troops from the *Boston* to save property. I also heard a number of quite prominent Royalists say they had asked Mr. Stevens to land troops to save property and prevent bloodshed. At 5 this Monday afternoon the troops were landed. Many of the radical hotheads were not in favor of landing the troops, feeling that they could overthrow the Queen, and realizing that if they were landed it would prevent a fight.

"I talked with a number of the leaders, and also with several very intimate friends, who were very near and supposed to be in the confidence of the leaders, among them being Dr. F. R. Day, the attending family physician of Chief Justice Judd; Vice-President Damson, Mr. W. R. Cassel, and five or six other members of the committee of safety, and who attended Mr Thurston on the voyage, in company with the other commissioners, coming to present their case to the United States. Not one of the persons seemed to know what Minister Stevens would

do. They all claimed that they could get no expression from him as to what course he would pursue in case of revolution further than that he would protect the lives and property of noncombatant American citizens.

"It seemed to be the general understanding that he would raise the American flag at some large and convenient place, declare it American territory, and proclaim that all desiring protection should go there.

"When the troops were landed the marines were stationed at the American legation and at the office of the consul-general. The sailor companies were marched down past the palace and Government building, and it was the intention to quarter them some considerable distance away, and, as I understand it, they were camped the first night. The next day an empty building was found near the Government building and palace, was secured, and they were quartered there.

Mr. DELAMATER. In talking to Dr. Day since I found that to be a fact.

Senator FRYE. As a matter of fact you found out that they went into the building that night instead of the next day?

Mr. DELAMATER. Yes.

Senator FRYE. You go on to say:

"All Monday evening excitement was intense, and a large portion of the inhabitants kept watch all night for fear of fires, etc.

"The next morning, Tuesday, I learned that at some time during the day a signal would be given which would call the volunteers together at a building (really an open shed) near the palace, and that the committee of safety would take possession and declare monarchy at an end. I did not learn the time, and I am very sure the consul-general, Mr. Severance, did not get any information more than I did. I am also morally certain that no help was expected from the United States forces, and that they expected to fight a battle and win before Mr. Stevens would interfere. I know the general impression was that Mr. Stevens and Capt. Wiltse would not interfere until they had positively placed themselves in position, and that they failed to get any encouragement from him, even as to interference, any further than that he would protect all noncombatant American citizens who should apply to him and go to a place designated by him.

"Of course I do not know as to absolute facts. I do not know that Mr. Stevens did not say he would, but I do know that the general impression among the prominent citizens was as stated above. And that the Dr. Day mentioned in a previous part of this letter, and who was a student of mine, afterwards my clinical assistant in my college work, and later my assistant in private practice, as close as he was to the Provisional Government leaders, had the same impression.

"That afternoon, Tuesday, I was driving in a buggy and came near what is known as the old armory, on Beretania street, I saw, all at once, men coming at full speed in all sorts of conveyances and on foot, in full run toward the armory. Every one carrying a gun, I concluded the signal had been given. I learned later that a wagon had started from a large wholesale hardware store down town loaded with ammunition to come to the armory, and that the Queen's police had stopped it, and being shot at by the driver, had run away. There were three policemen, and all ran. This was within a block of the police station, and the citizens had taken this shot as a signal and gathered at once. Inside of fifteen minutes there were in the neighborhood of 200 citizens—clerks, lawyers, doctors, merchants, and capitalists—each

with a rifle and double belt of cartridges around them, formed in line and ready for action."

Mr. DELAMATER. It is possible that in writing a letter of that kind I may have overstated the number that got there in a few minutes. You know how that comes. But there was quite a number.

Senator FRYE. You say:

"At the same time the Provisional Government, as represented by its committee, took occasion to reach the Government building, each from his own office and by the shortest route.

"When there, it is true, without any Provisional troops in sight, but knowing them to be so stationed as to be able to intercept the Queen's guards should they undertake resistance, and knowing that force to be more than double the entire forces of the Queen, and knowing them to be composed of men of standing and ability, they did, without the immediate presence of the troops, read the proclamation."

I suppose the immediate presence of the troops meant the Provisional Government troops?

Mr. DELAMATER. Yes.

Senator FRYE. Then: "I was there before it was entirely finished, and about the time they had finished reading the Provisional troops, in two companies, marched into the grounds, having met with no offer of resistance. They were immediately placed on guard duty and quartered in the Government building. The Queen's officers at once gave up possession. A communication was then sent to the Queen, and a demand made on her to abdicate, an offer of protection, and assurances of pecuniary assistance if she submitted to the new order of things. After some parley this she did." Now, let me ask you right there, when that proclamation was read were any United States troops in sight of the building?

Mr. DELAMATER. Yes, Arion Hall.

Senator FRYE. Standing at the Government building, could you see the United States troops?

Mr. DELAMATER. I think you could; I am not sure about that. I was out in the yard of the Government building, and could see them.

Senator FRYE. Could you see more than two sentries anywhere?

Mr. DELAMATER. There were no troops drawn up in line. From the yard I saw the troops leaning on the fence.

Senator FRYE. They were inside the fence?

Mr. DELAMATER. Inside the fence and standing on the grass, looking on.

Senator FRYE. But not outside at the Government building?

Mr. DELAMATER. No; not outside their own yard.

Senator FRYE. You then say: "Of course I was not present at any of the interviews, but had information which to me was satisfactory that a demand was being made for the surrender of the palace, police station, and armory. I was at the police station and saw that the Provisional Government had placed it with a small force of the Queen's defenders in a state of siege, with ample force to capture it and a fixed determination to do so, and an hour later I was there again and found it in possession of the new Government. I then learned that Minister Stevens, after the Provisional Government had shown him that they were in actual possession of the Government building and all public offices and the police station and had the Queen's guards cooped in their own armory, recognized it as the *de facto* Government, and immediately a number of the representatives of other governments did the same. England and two or three others did not till the next day."

Mr. DELAMATER. There is a little point there that might or might not be of use. The Queen's flag, the royal standard I saw lowered from the palace before Mr. Stevens recognized the new Government. I understood afterwards that it was raised again. But I saw it lowered at that time.

Senator FRYE. You proceed to say:

"Now, of course Minister Stevens might have recognized it a half hour earlier than I know anything about. I was not a participant, and had no claim to inside information, but I was doing all I could to learn everything that was going on, and as the harmony of action and information seemed general, I felt that I had correct information as to the time and sequence of events. Of this I am sure, the Provisional Government would have succeeded if United States forces had been a thousand miles away. They had, from my own personal observation, a force more than double that of the Queen, and composed of such men as meant business. Among the privates who went on guard duty there was represented several million dollars.

"As to Mr. Blount, a commission of some kind was expected, and preparations made to give him a reception, which was nonpartisan. That is, both sides would take part. Of course, there was no certainty as to time of his arrival, no cable being connected with the islands. The vessel came and a committee having representatives of both sides went out to meet it. A large concourse of citizens of all classes turned out. A native society of women decorated with garlands of flowers; two bands, etc., were at the dock and waited hours after the vessel had anchored. Both sides were ready for a general nonpartisan and enthusiastic reception."

The CHAIRMAN. What do you mean by both sides?

Mr. DELAMATER. Royalists and annextionists.

Senator FRYE. I read:

"Finally, word came that Mr. Blount declined the reception of any honors. He was landed and quartered himself at the Hawaiian Hotel, the most prominent hotel there. He was domiciled in one of the cottages and remained there during his stay in Honolulu.

"It was perhaps an unfortunate circumstance that this placed him in the midst of the most marked royalistic influences, but it can not be claimed, so far as I know, that he knew of this. He persistently declined to accept any hospitality from persons of either side so long as he was "special commissioner." This feature of his conduct was very marked, and while I have no fault to find with it, was carried, it seemed to me, to the extent of at least appearing like posing.

"He was soon known as the 'silent man,' as an 'interrogation point,' and various other appellations, because of his treatment of those with whom he came in contact. No one seemed able to get the slightest expression from him as to his opinion on the subject. He seemed ready to ask questions without limit, of those who called, and to listen in absolute silence to answers, and of course had his stenographer take all conversations. His wife was at once made much of, especially by the prominent American women. One little instance of his full consistency as to accepting hospitality: Mrs. Day had entertained Mrs. Blount in the way of private picnics, a lunch party, horseback rides, etc. One evening about dusk, Dr. and Mrs. Day drove to the Blount cottage in a two-seated surrey, to ask Mrs. Blount to take a little ride. Mr. Blount was on the sidewalk by the side of the carriage when Mrs. Blount got in and Dr. Day asked him to go. He declined on the ground he could not accept any hospitality from anyone.

"As an evidence of his courtesy, he received a dispatch from Washington directing him to appear before the United States consul-general and take the oath of office as minister. The same dispatch had a clause stating that a successor to Mr. Severance would soon be sent on. Mr. Blount had received a good many favors from Mr. Severance. This part of the dispatch he folded under and concealed from Mr. Severance, when he appeared with the dispatch as a credential."

Mr. DELAMATER. Of course, I do not know that as a fact; but I got it from Mr. Severance.

Senator FRYE. You say—

"And three days later, of his own motion, gave this to a Royalist paper officially, for publication."

Do you know that?

Mr. DELAMATER. Yes. I do not know that he gave it to the paper; it had it officially, and it was published.

Senator FRYE. You go on to say:

"And three days later, of his own motion, gave this to a Royalist paper officially, for publication. His reason, as stated by himself, being that he was friendly to Mr. Severance, and could not bear to tell him personally."

"Within a week from his arrival the Royalists started the report that the Queen was to be restored, and several distinct days were set. My opinion at the time was that they started them without any foundation. They claimed to have assurances from Mr. Blount. I did not at the time believe he had given the slightest encouragement. I am sure the Provisional people felt the same way at this time, basing their belief on the utter impossibility of getting anything out of him on their part. The flag came down. Although Mr. Blount was at the house of Minister Stevens on the afternoon preceding, and after he had issued his order to the naval commander, he did not, I am certain, mention the matter to Minister Stevens, who first heard of it from Mr. Waterhouse, of the Provisionals, late in the evening.

"Up to this time I did not know Minister Stevens by sight. About this time a friend urged me to pay him a formal visit as the representative of my country, etc. I did so on his regular reception day, remained about ten minutes in general conversation, making no allusion to public affairs. I called on him once later. These are the only times I met him in the ten months I was there, and at neither time had any talk with him about affairs.

"A few days after my first call on Mr. Stevens I made a formal call on Mr. Blount as a representative of the President and presented my card, which gave my profession and my American residence. The call lasted not to exceed five minutes. No conversation on Hawaiian affairs was had, except he asked me what I thought would be the effect of lowering the flag and removing the troops. I said I thought it would prove that the Provisional Government was able to take care of themselves. I remained as long as it seemed there was occasion. I left with him my Honolulu address and telephone number, and remarked that if I could be of any service, would be pleased. My wife and Mrs. Blount met a good many times socially. My wife called on Mrs. Blount. This is the only time I met Mr. Blount.

"Within a week after his arrival the people began to wonder that he was not calling on the leading and prominent men."

Mr. DELAMATER. By calling on him, I do not mean to say that he was calling on him socially, but for information.

Senator FRYE. You then say:

"When he was made minister these same men, who belong to the class who rush forward and force service or information unasked, but who had called formerly and offered to be at his service whenever desired, were still wondering. Those men, like Chief Justice Judd, who was not an active partisan (in fact, many of the prominent men were uncertain whether he was not favorable to the Queen), found that information on vital points was not asked for.

"I formed and expressed the idea that the object was to make it appear that the Provisionals were able to care for themselves. This was quite strongly combated by many who began to feel that Mr. Blount was opposed to the Provisionals and favoring the Queen. And finally, before coming away, I was compelled to admit that Mr. Blount's conduct was certainly very singular; that he was not conducting his intercourse just as I would expect a gentleman to do, and that his treatment of Mr. Stevens seemed very ungentlemanly, to say the least. Mr. Stevens and I never mentioned his name in either of our conversations.

"For a long time there was no American flag at his headquarters, and, inasmuch as the Stars and Stripes were floating everywhere else in Honolulu, this became a subject of marked comment. Finally the wife of one of the naval officers bantered him pretty strongly on the subject, and offered to, and did, present him with a flag which was draped on his front porch. Later Mr. Blount issued, by publication in the press of the city, a proclamation defining the protection he was authorized to give American citizens. The last clause of this proclamation relating to the loss of all claim on the American minister for property, or family, as well as personal protection, by those who took active part in internal affairs of the country, while probably good law, seemed to me unwise, unnecessary, and not at all diplomatic. Its effect was to cause a great deal of uncertainty as to whether he was not contemplating at that moment, as the Royalists positively and confidently asserted, the immediate restoration of the Queen.

"In fact, Mr. Blount's course was such that, justly or unjustly, the Royalists were encouraged and the Provisionals were discouraged.

"Whether the Royalists received from him information as to what was the final intention I do not know, but they guessed exceedingly well, for in April, May, and June I heard from the lips of Royalists there the most positive declarations that they knew that President Cleveland would do certain things. Those things the President has since done.

"As to the sentiment of the nation, Hawaiians of Hawaiian parents, the Queen is certainly not popular. There is, I believe, a much stronger feeling in favor of Princess Kaiulani. I talked with a large number of them who were decidedly in favor of annexation also.

"The royalist party there is not made up of or led by natives, but largely by English residents. The motive seems fairly clear. Mr. Davis has had complete control over Kaiulani and her education. The near approach of her reign would give him large advantages in a financial way. He would probably be in fact, if not in name, prime minister. He would have the placing of Government loans (probably) and the inside track in many contracts, etc. Then, socially, his family and that of Mr. Walker, his partner, who are the leaders of the English society, would be very close to the court social world. Mr. Cleghorn, the father of Kaiulani, is Scotch. A son of Mr. Wodehouse, the English minister, is married to a half-sister of Kaiulani. When the native women undertook to have a large mass meeting and present to Mr. Blount a petition they split on the question whether it should be Lilioukalani or Kaiulani."

The CHAIRMAN. Is this the gentleman who furnished those statistics?

Senator FRYE. He has them all in there. My impression is that you have them in the record.

The CHAIRMAN. Dr. Delamater, where did you get these figures that you have in this statement?

Mr. DELAMATER. The most of them I got from the report of the board of education. They were issued by the Queen's Government there.

The CHAIRMAN. It is a compilation made by you?

Mr. DELAMATER. A compilation made by me.

The CHAIRMAN. From authentic papers?

Mr. DELAMATER. From the official report of the board of education.

Senator GRAY. This is as full a statement as you could make of your observation there?

Mr. DELAMATER. Yes. I intended it to be as full a statement as I could make.

Senator GRAY. When did you go to the islands?

Mr. DELAMATER. August, 1892.

Senator GRAY. How long did you stay?

Mr. DELAMATER. Until June of this last year—1893.

Senator GRAY. If not improper so to do, may I ask what was your object in going?

Mr. DELAMATER. I was there simply for recreation—a matter of health. I had, for twenty years, a professorship in a medical college, with a fair practice, and had become utterly tired out.

Senator GRAY. That is the only object you had?

Mr. DELAMATER. Yes. You need not fear to ask me any question you may think proper.

Senator GRAY. I wanted to know whether you were there in any matter concerning the islands. It was a private purpose for which you were there?

Mr. DELAMATER. Yes. I had no other interest there.

Senator GRAY. I do not wish to know what the private purpose was. Had you any other interest there?

Mr. DELAMATER. None at all. The private purpose was only to regain my health.

Senator GRAY. I can suppose you came in frequent contact with the Americans on those islands?

Mr. DELAMATER. I have not had any correspondence with any of the Americans since I came away.

Senator GRAY. I mean while you were there.

Mr. DELAMATER. Oh, yes; we had a private boarding house, with an English family; so that I was in pretty close contact with the white people, both English and Americans.

Senator GRAY. Was there any sentiment of annexation prevailing there during the few months you were there that you could discover?

Mr. DELAMATER. Yes.

Senator GRAY. Among what classes?

Mr. DELAMATER. Among the Americans.

Senator GRAY. Among the Kanakas?

Mr. DELAMATER. I should say yes. It seemed to me, taking it under a form of government like that, the expressions in favor of annexation to this country were quite pronounced.

Senator GRAY. General?

Mr. DELAMATER. I should say quite general. The object, it seemed to me, so far as I could judge, was mainly to get better commercial relations.

Senator GRAY. Were the Islands in a state of business depression while you were there, or otherwise?

Mr. DELAMATER. Business depression.

Senator GRAY. To what was that attributed?

Mr. DELAMATER. To the McKinley bill.

Senator GRAY. That that the McKinley bill made sugar free?

Mr. DELAMATER. Yes.

Senator GRAY. And deprived the grower of the advantage that he had when there was a tax?

Mr. DELAMATER. Yes.

Senator GRAY. And you say that the change in that condition of things was the principal cause of the business depression?

Mr. DELAMATER. Yes; I think so. Of course you know a doctor is not a business man, usually, and I just got a sort of impression.

Senator GRAY. Were the sugar growers Annexationists, with the exception of Mr. Spreckles?

Mr. DELAMATER. I judge that before I came away they were. But I got the impression very strongly in my mind that the sugar growers were opposed to it at the start. I did not talk with a great many of them; but I got that impression at the start.

Senator GRAY. What impression did you finally get?

Mr. DELAMATER. My final impression was, that, in common with others, they were in favor of it.

SWORN STATEMENT OF FRANCIS R. DAY.

Senator FRYE. State your age and occupation.

Mr. DAY. I am 34 years old and a practitioner of medicine.

Senator FRYE. Where?

Mr. DAY. My residence is Honolulu.

Senator FRYE. How long have you been at Honolulu?

Mr. DAY. I located there in the fall of 1887 and have been a resident ever since that time until last August. I left there for this country at that time.

Senator FRYE. Were you there at the time Kalakaua was compelled to assent to the constitution of 1887?

Mr. DAY. I was in the city at the time, but not a resident.

Senator FRYE. Were you a witness to what took place then?

Mr. DAY. No.

Senator FRYE. Are you acquainted with the people of the islands?

Mr. DAY. Yes.

Senator FRYE. Has your residence been all this time at Honolulu?

Mr. DAY. Yes.

Senator FRYE. I will bring you down now to the few weeks preceding what is known as the last revolution, and you may state what you saw going on, and what you knew in the Legislature and elsewhere.

Mr. DAY. Politically there was a great deal of interest in the conflict which was going on in the Legislature for some few months before the revolution of January, 1893. The struggle seemed to be between the Queen and her supporters and the opposition, to establish a precedent which would make the sovereign appoint the cabinet from a majority of the Legislature—that is, by calling a leader of the majority of the Legislature, and he select his associates, and she confirm them; the Queen and her party, on the other hand, attempting to have the appointing power purely a personal prerogative of her own, ignoring, in

other words, the majority of the Legislature and selecting whom she chose for the cabinet. The fight was a long and bitter one until, I think it was, in November, when she yielded to the opposition so far as to call a member of the opposition Mr. G. N. Wilcox to form her cabinet—known as the Wilcox cabinet. That cabinet was formed by the Legislature and was composed of Mr. Wilcox, Mr. P. C. Jones, Mr. Mark Robinson, and Cecil Brown, and practically, for the first time since the Legislature had convened some months before, they got down to a working basis and things went along smoothly until two or three days before the close of the Legislature, when the country was taken by surprise to find that the Wilcox cabinet had been put out by vote of want of confidence, and the appointment by the Queen of a cabinet on her old plan of simply personal authority. That cabinet was composed of Samuel Parker, W. H. Cornwell, J. F. Colburn, and A. P. Peterson, if I remember rightly.

That cabinet did not possess the confidence of the business community, and they were consequently disappointed at the selection. The following day, I think, the Legislature passed what was known as the lottery bill, legalizing the establishment of a lottery in Honolulu—a bill that had been brought before the Legislature in the earlier months of the session and had aroused a good deal of public opposition. The opposition was so strong that it was, for a time, at least, withdrawn or laid aside, and the community supposed for good. But it was rushed through the third reading and the Queen signed the bill, making it law, during the last days of the Legislature; I do not remember the exact date. The opium bill was passed in very much the same way, licensing the sale of opium. It is needless to say that the community was aroused almost to the point of desperation, certainly of the deepest indignation, over these rapidly succeeding acts of the Queen and her party.

On Saturday, the 14th of January, the Legislature was prorogued in the usual form, and immediately after that the Queen attempted to promulgate—or rather attempted to overthrow the existing constitution and promulgate a new one which made certain radical changes in the form of the Government.

Senator FRYE. When the Jones-Wilcox cabinet was formed and the lottery and opium bills had been defeated, before the *Boston* left the harbor on the trip down to Hilo, had everything settled down to quiet?

Mr. DAY. Everything was supposed to be settled when the Wilcox cabinet went into office and the machinery of Government was going on for the two months that they held office. Their dismissal, I think, on a vote of want of confidence was a complete surprise to the community.

Senator FRYE. So that there was no expectation of any difficulty at the time the *Boston* left the harbor and went down to Hilo?

Mr. DAY. None whatever.

Senator FRYE. That was supposed to be settled for the next eighteen months—during the life of the Legislature?

Mr. DAY. Yes.

Senator FRYE. When the *Boston* left and there took place what you were going to state—the Queen attempted to form a new constitution?

Mr. DAY. The news of that attempt spread through the community with great rapidity, and business men, property holders, professional men of the community, all felt that it meant a crisis in the country's history. The feeling was so intense that it was a spontaneous sentiment that something radical would have to be done. In a hurried way a number of business and professional men met at a central location in the city

(W. O. Smith's office) to discuss the situation, and it was there decided that they should appoint a committee of thirteen (which has become a historical number in Hawaiian affairs), to devise ways and means of correcting what they considered abuses of the Crown, and to take such measures as they thought necessary for that purpose. The feeling in the community was one of unrest, and the most intense excitement prevailed during the day, the following day, and the Monday succeeding, and the Tuesday following the Monday. Nothing was accomplished, so far as I know, on Sunday; but Monday morning an announcement was made that there would be a mass meeting held in the afternoon by the citizens in favor of good government.

Senator FRYE. Was that a public announcement?

Mr. DAY. A public announcement; yes. Accordingly, at 2 o'clock in the afternoon, the meeting was held in the armory on Beretania street. That meeting was attended by the white men of the community, mostly of all classes and nationalities. There must have been, I should judge, 1,200 or 1,300 men there, and it was an exceedingly quiet meeting. You could tell by the expression of the men's faces that they understood that it was a matter of extreme importance and gravity which confronted them. At this meeting the speakers related the political history of the country for the last few months, and also a report of the committee was made, and speeches which incited the men to their duty as citizens who wanted to preserve their civil liberties. The action of the committee in calling the meeting was ratified, with only one dissenting voice, and also ordering the committee to go on still further and take such measures as they thought necessary for the maintainance of government and the protection of life and property. The meeting adjourned about 4 o'clock in the afternoon, everyone feeling that we were on the eve of a crisis. That evening the news came to me that the monarchy was to be abrogated and that there was to be the establishment of a a provisional form of government.

Senator GRAY. When was that?

Mr. DAY. That was Monday evening; and I think the word was passed around pretty generally among the supporters of the Reform party, as it was called. That evening about 5 o'clock troops from the *Boston* were landed, and a detachment was sent to the legation, the consulate, and Mr. Atherton's grounds on King street. The latter detachment was afterward removed to Arion Hall. That night I remember being aroused by the alarm of fire. It turned out to be a small affair, supposed to be of incendiary origin, on Emma street.

Senator GRAY. An outbuilding, was it not?

Mr. DAY. That is my recollection—that it was an outbuilding. It was a small fire. On the following day we understood that at a given signal those who were in favor of the movement were to meet at the Honolulu Rifles' armory, and with arms, and proceed upon the Government building. I was returning from making a professional call shortly after 2 o'clock in the afternoon, and passed the armory. I saw the men collecting there——

Senator GRAY. You say that they were notified. Were you one of those who were notified?

Mr. DAY. No. I saw a friend coming toward the armory. I asked him what was the matter, and asked if the signal was given, and he said that Goode had shot a policeman and they were going to proceed at once; so I put my horse away and put my revolver in my pocket and hurried to the armory. I had planned myself, without discussing the matter with anyone, to do my duty as a professional man. I had pro-

vided surgical dressings in considerable quantity for the wounded and had taken my revolver to use simply in case of a conflict, which every one expected. I went to the armory. Men were collecting from all parts of the city, and I walked with them to the Government building. The grounds were then fairly well filled with men bearing arms and gathering crowds of people. I remained there an hour or more.

Senator FRYE. When you got there what was going on?

Mr. DAY. The troops were drawn up in line in front of the door.

Senator FRYE. The Provisional Government troops?

Mr. DAY. The troops of the Provisional Government. The men who had been collecting at the armory and walked over. They were drawn up in line around the main entrance of the building. I remained there an hour or more and learned that the proclamation abrogating the monarchy had been read, but I did not hear it; I was not in proper position to hear it. I then walked out the side entrance, saw the troops of the *Boston* in the yard of Arion Hall, not drawn up at all, not with their muskets in their hands—most of them leaning up against the fence, looking on at what was going on across the way.

Senator GRAY. Did the troops have their muskets stacked?

Mr. DAY. That is my recollection—that they were. They had a guard pacing before the gate, but they were simply there looking out—not under arms. I walked to the steps of the opera house, a short distance away, and stood there a short time. I saw a commotion in the crowd and they all looked toward the palace. I saw the royal standard come down from the flagstaff upon the palace. I asked some one who was standing near by what it meant. They did not know; neither did I. I had with me at that time Dr. Delamater. We were together. He was under my professional care and I thought it was not best for him to be there any longer, so I took him home. I think after that I went about my professional duties.

Senator GRAY. Were you there, after this first hauling down of the Hawaiian flag, when it was hauled up again?

Mr. DAY. I do not remember about that; it was about that time I left the opera house and took Dr. Delamater to his home.

Senator FRYE. When you were at the Government building, at the time this proclamation was read, did you remain there until the Provisional Government men took possession of the Government building, the archives, and all that—went in and took possession?

Mr. DAY. Yes.

Senator FRYE. Were any U. S. marines around the Governernment building?

Mr. DAY. No.

Senator FRYE. None at all there while you were there?

Mr. DAY. No.

Senator FRYE. None in sight of the Government building except the two sentries?

Mr. DAY. They were in the grounds of the building of Arion Hall, across the street from the Government building.

Senator FRYE. Inside the fence?

Mr. DAY. Yes.

Senator FRYE. Not out on the street?

Mr. DAY. No.

Senator GRAY. What sort of fence?

Mr. DAY. Picket fence.

Senator FRYE. They were not out on the street?

Mr. DAY. No, not at all; except the sentry, who was pacing in front of the gate.

Senator FRYE. During Monday your people feared there would be riots?

Mr. DAY. Yes.

Senator FRYE. Was that fear general?

Mr. DAY. Yes.

Senator FRYE. In your opinion was there danger to the American people and their property at that time?

Mr. DAY. Yes.

Senator FRYE. Was American property scattered all around in that section of the city?

Mr. DAY. Yes.

Senator FRYE. Did you know how general the alarm was amongst the people at that time, on Monday? What were they afraid of principally?

Mr. DAY. They were afraid of riots and incendiarism and conflict between the white men, who were determined to make a change, and the natives.

Senator FRYE. Did you know Minister Stevens?

Mr. DAY. Yes.

Senator FRYE. Well?

Mr. DAY. I treated most of his family during the time he was there.

Senator FRYE. Were you the physician for Chief-Justice Judd?

Mr. DAY. Yes; I have treated nearly all his children and himself.

Senator FRYE. Do you know whether or not there was any expectation on the part of the men who were engaged in behalf of the Provisional Government that Minister Stevens was going to have the troops help them?

Mr. DAY. I had no such idea whatever. I supposed they were landed simply for the protection of American interests and under the excitement of the inevitable conflict that was coming.

Senator FRYE. Did you expect the troops to take part in the conflict as between the Queen and the Provisional Government?

Mr. DAY. No.

Senator FRYE. Do you know what the Provisional Government expected—the leading men in the affair?

Mr. DAY. I do not; I never heard that they did.

Senator FRYE. Did the troops take any part?

Mr. DAY. They did not.

Senator FRYE. Do you know anything about what forces the Queen had on that Monday?

Mr. DAY. I know that she had the Queen's guard and the police.

Senator FRYE. The Queen's guard consisted of about 75 men and the police about 60?

Senator GRAY. Ask Mr. Day how many they consisted of?

Senator FRYE. Do you know how many they consisted of?

Mr. DAY. The guard, I suppose, consisted of about 80 men, and the police—I do not remember the exact number—I suppose 65 or 75.

Senator FRYE. Do you know what armed forces the Queen had on her part on Monday?

Mr. DAY. I knew of none.

Senator FRYE. Was there any fear on the part of the men of the Provisional Government of a conflict with the Queen's forces?

Mr. DAY. They had no fear at all; they feared a conflict, but had no fear of the result.

Senator FRYE. So far as you know, if the Boston had been a thousand miles at sea would there have been a different result?

Mr. DAY. There would have been no difference in the result, except, probably, it would have been wrought with blood.

Senator FRYE. But as to who would win they had no question?

Mr. DAY. No.

Senator FRYE. Was there any fear among the Provisional Government's men of the Queen's Guard?

Mr. DAY. I do not understand your question.

Senator FRYE. Among the white men, the Provisional Government's men, was there any fear of the valor of the Queen's Guard?

Mr. DAY. They expected they would fight, but they had no fear of them.

Senator FRYE. They were native Hawaiians, were they not?

Mr. DAY. Native Hawaiians.

Senator FRYE. Is there much fighting material among the native Hawaiians?

Mr. DAY. They are not a belligerent people.

Senator FRYE. Quiet, good-natured people?

Mr. DAY. They are.

Senator FRYE. Were you in Honolulu during the Wilcox riot of 1889?

Mr. DAY. I was in the islands; I was not in Honolulu just at that time. I had gone to Mauai just at the time that occurred.

Senator FRYE. Were troops landed at that time?

Mr. DAY. No.

Senator FRYE. What is the character of these men who are now in control of the Government?

Mr. DAY. They are the best men in the community.

Senator FRYE. Compare favorably with men here?

Mr. DAY. Yes.

Senator FRYE. Men of education, most of them?

Mr. DAY. Yes.

Senator FRYE. Were you there when the flag was hauled down?

Mr. DAY. Yes.

Senator FRYE. Was there any commotion?

Mr. DAY. None.

Senator FRYE. In your opinion, can the Provisional Government maintain itself?

Mr. DAY. Yes.

Senator FRYE. The chief followers of the Queen are whom?

Mr. DAY. Hawaiians and half-whites.

Senator FRYE. Natives, you mean?

Mr. DAY. Natives.

Senator FRYE. Half-whites?

Mr. DAY. Half-whites, and a large proportion of English people.

Senator FRYE. What kind of men were those whom the Queen put into her cabinet—Cornwell and Colburn?

Mr. DAY. They were not men who commanded the confidence of the community.

Senator GRAY. That is, of what you called the best men of the community; or do you mean the whole population?

Mr. DAY. I should say that they did not command the confidence of a large majority of the white community.

Senator GRAY. Were you in Honolulu when Mr. Blount was there?

Mr. DAY. Yes.

Senator GRAY. Did you have any communications with him?

Mr. DAY. Only professionally.
Senator GRAY. You did not appear before him as a witness?
Mr. DAY. No.
Senator GRAY. What time did you leave the islands?
Mr. DAY. The 8th of August. I left Honolulu on the same steamer that Mr. and Mrs. Blount came on.
Senator GRAY. Came from there here; that is, to the United States?
Mr. DAY. Yes.
Senator FRYE. Have you read Mr. Blount's report?
Mr. DAY. No; extracts only.
Senator FRYE. So far as you know anything about the affairs of the islands during this time, did Mr. Stevens have anything to do with this revolution?
Mr. DAY. No.
Senator FRYE. Did you attend Mr. Stevens?
Mr. DAY. Yes.
Senator FRYE. Do you remember Mr. Stevens being sick during the time of the revolution?
Mr. DAY. I do not remember. I did not attend him if he was sick during that time. I attended his daughters more than I did him, although that was some little time before that.
Senator GRAY. You say you went to the Hawaiian Islands in 1887?
Mr. DAY. Yes; to reside.
Senator GRAY. And practice your profession?
Mr. DAY. Yes.
Senator GRAY. Of what state are you a citizen?
Mr. DAY. Illinois.
Senator GRAY. Did you become a citizen of the Hawaiian Islands?
Mr. DAY. I am a voter there.
Senator GRAY. Are you a citizen?
Mr. DAY. I do not know just what the laws are in that respect.
Senator GRAY. Did you ever become naturalized?
Mr. DAY. I did not take out naturalization papers.
Senator GRAY. Do you still consider yourself a citizen of the United States?
Mr. DAY. I believe that is a question that has not been decided.
Senator GRAY. Do you consider yourself such?
Mr. DAY. I call myself an American.
Senator FRYE. You did not forswear your allegiance to the United States?
Mr. DAY. I did not forswear my allegiance to the United States, but I did sign the constitution which requires a voter to support the constitution.
Senator GRAY. Did you attend this meeting on Monday?
Mr. DAY. Yes.
Senator GRAY. Were you a supporter of that meeting?
Mr. DAY. Yes.
Senator GRAY. Were you there when the troops landed?
Mr. DAY. I was in Honolulu.
Senator GRAY. I mean in town.
Mr. DAY. Yes.
Senator GRAY. Did you see the troops?
Mr. DAY. I saw them in the evening.
Senator GRAY. You did not see them march up from the landing?
Mr. DAY. No.
Senator GRAY. You were not present at the landing?

Mr. DAY. No; in driving about in the evening on my professional rounds I saw them.

Senator GRAY. You spoke of being informed—notice was passed around on Monday evening that there was to be a movement to establish a provisional government. Did you get that notice?

Mr. DAY. I got a statement.

Senator GRAY. On information?

Mr. DAY. Information; yes, sir. It should hardly be dignified as an official notice.

Senator GRAY. Who informed you?

Mr. DAY. Mr. George Smith.

Senator GRAY. The person at whose office the meetings were held?

Mr. DAY. No; he is a wholesale druggist there.

Senator GRAY. Not the Mr. Smith who is a member of the Provisional Government?

Mr. DAY. No.

Senator GRAY. Was Mr. George Smith a supporter of the movement?

Mr. DAY. Yes

Senator GRAY. Is he an American?

Mr. DAY. Yes.

Senator GRAY. How many Americans were on the committee of safety?

Mr. DAY. I do not know; I will have to look over the list to tell you that.

Senator GRAY. Henry A. Cooper?

Mr. DAY. Do you mean by Americans the same as myself, born in the United States and living there under the laws and having sworn to support the Hawaiian constitution and abide by their laws?

Senator GRAY. You may call it an American living there and in business there.

Mr. DAY. I do not know how our statutes are; whether we are Americans.

Senator GRAY. The same as yourself.

Mr. DAY. Yes; Henry A. Cooper is an American, the same as I am.

Senator GRAY. F. W. McChesney?

Mr. DAY. American.

Senator GRAY. W. C. Wilder?

Mr. DAY. American.

Senator GRAY. C. Bolte?

Mr. DAY. German.

Senator GRAY. Andrew Brown?

Mr. DAY. Scotchman.

Senator GRAY. William O. Smith?

Mr. DAY. Hawaiian.

Senator GRAY. Henry Waterhouse?

Mr. DAY. English.

Senator GRAY. Theodore F. Lansing?

Mr. DAY. American.

Senator GRAY. Edward Shur?

Mr. DAY. German.

Senator GRAY. L. A. Thurston?

Mr. DAY. Hawaiian.

Senator GRAY. That is, he was born there?

Mr. DAY. A Hawaiian of American parentage.

Senator GRAY. John Emmeluth?

Mr. DAY. I think he is a German.

Senator GRAY. W. R. Castle?

Mr. DAY. An Hawaiian.
Senator GRAY. J. A. McCandless?
Mr. DAY. An American.
Senator GRAY. Were they all voters, the same as you?
Mr. DAY. Yes; many of them are old residents of the country.
Senator FRYE. Is there anything that occurs to you that you would like to state in connection with this matter? If there is anything that you know about the revolution that occurred about that time, and it is legitimate, you may state it.
Mr. DAY. I would like to state my opinion, if you will allow me, about the landing of the American troops—my individual opinion.
Senator FRYE. Yes.
Mr. DAY. It seemed to me as though it was the duty of the American minister, under the conditions, to land the troops for the protection of American property.
Senator GRAY. And life?
Mr. DAY. And the lives of women and children that might be sacrificed, perhaps. I think that duty devolved not only upon him, but upon all ministers there, to land troops for the protection of the citizens and their lives; but the *Boston* was the only ship in the waters at the time. The same thing has been done during the last crisis by the British and Japanese, by landing troops from their ships.
Senator FRYE. What do you call the last crisis?
Mr. DAY. During the time when there was, apparently, danger of conflict between the Provisional Government and the royalists at an attempted restoration of the Queen.
Senator GRAY. While you were there?
Mr. DAY. No.
Senator FRYE. That has been since the Provisional Government was established?
Mr. DAY. Yes.
Senator GRAY. After you left the islands?
Mr. DAY. Yes.
Senator GRAY. That is hearsay.
Senator FRYE. Did most of the valuable property in Honolulu belong to men of American birth?
Mr. DAY. Yes.
Senator GRAY. Do you know Mr. Thurston?
Mr. DAY. Yes.
Senator GRAY. Have you seen him since you have been here?
Mr. DAY. I saw him for a few minutes last evening.
Senator FRYE. When did you arrive, yesterday?
Mr. DAY. Last evening.
Senator FRYE. Did you call on Mr. Thurston or did he call on you?
Mr. DAY. I called on him.
Senator FRYE. Was Dr. Delamater with you last evening when you called?
Mr. DAY. Yes; Mr. Irwin, Dr. Delamater, and I called on Mr. Thurston. Mr. Thurston is an old patient of mine.

SWORN STATEMENT OF ROSWELL RANDALL HOES.

Senator FRYE. Are you a chaplain in the Navy?
Mr. HOES. Yes.
Senator FRYE. Have you ever been in Honolulu?
Mr. HOES. I have.

Senator FRYE When and how long were you there?

Mr. HOES. I reached Honolulu on the U. S. S. *Pensacola* September 25, 1891, and remained there until March 9, 1893.

The CHAIRMAN. Who was your captain?

Mr. HOES. The commanding officer of the *Pensacola* was Capt. Albert Kautz, U. S. Navy.

Senator FRYE. What were you doing there during that time?

Mr. HOES. I went there as chaplain of the *Pensacola*, and, having considerable leisure, apart from my professional duties, I commenced a study of the history of the country, pursuing it as carefully and critically as the books and pamphlets at my command would permit.

The CHAIRMAN. Do you mean to say that you stayed ashore from 1891 to 1893?

Mr. HOES. No; I will explain that. I was officially attached to the *Pensacola* while she remained in Hawaiian waters, and performed my duties accordingly; but, having considerable leisure at my disposal, as already said, I engaged in historical studies, and was instrumental, with Prof. Alexander, J. S. Emerson, and others, in organizing the Hawaiian Historical Society, and was officially connected with that organization until I left Honolulu. The Queen, subsequently hearing that I was so deeply interested in historical research, applied to Secretary Blaine, through Minister Stevens, for permission for me to remain in Honolulu after the *Pensacola* left, to prepare a bibliography of Hawaii, and also to examine and arrange the early archives of the Government, which were in a state of disgraceful confusion. I was subsequently detached and remained in Honolulu until the time stated.

The CHAIRMAN. If the Queen made that application of her own motion she could not have been a very ignorant woman?

Mr. HOES. No one ever claimed that respecting the Queen. As a matter of fact, however, the Queen took this action upon the advice of Prof. Alexander, the recognized historian of the country, and of others who were interested in the history of Hawaii and the preservation of its early archives.

Senator FRYE. Did you keep a scrapbook?

Mr. HOES. I kept a scrapbook of the first days of the revolution. It was made up of all the cuttings relating in any way to the revolution, taken from the Advertiser, a supporter of the Provisional Government, and the Bulletin and Holomua, both of which then and subsequently advocated the cause of the Queen.

Senator FRYE. In that scrap book does there appear the recognitions of the Provisional Government by the various governments represented in Honolulu?

Mr. HOES. Yes.

Senator FRYE. The letters of recognition sent by the various Governments represented in the Hawaiian Islands do not appear of record here, and I think they ought to come in. They are as follows:

CONSULATE OF CHILE,
Honolulu, Hawaiian Islands, January 18, 1893.

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of yesterday's date, together with a copy of the proclamation issued yesterday, whereby I am informed, for reasons set forth, the Hawaiian monarchy has been abrogated and a provisional government established, the same being now in possession of Government departmental buildings, the archives, and the treasury, and whereby you request me to recognize the said Provisional Government

as the *de facto* Government on behalf of the Government of Chile, and to afford to it the moral support of my Government.

In response I have the honor to say that I comply with the above request and recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands, so far as my authority as consul for Chile may permit me to act for and on behalf of the Government of the Republic of Chile in the premises. I have the honor to be, gentlemen,

Your very obedient servant,

F. A. SCHAEFER,
Consul for Chile.

Hons. SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
W. O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

AUSTRO-HUNGARIAN CONSULATE, HAWAIIAN ISLANDS,
Honolulu, January 18, 1893.

To the Executive Council of the Provisional Government in Hawaii, Messrs. Sanford B. Dole, J. A. King, P. C. Jones, and Willinm O. Smith:

GENTLEMEN: I have the honor to own receipt of your esteemed favor of yesterday's date, and hereby take much pleasure to recognize and acknowledge on behalf of the Austro-Hungarian Government the present Government of the Hawaiian Islands, and that I shall do all in my power to further and support the same.

I have the honor to be, gentlemen, your most obedient servant.

H. F. GLADE,
Austro-Hungarian Consul.

HONOLULU, HAWAIIAN ISLANDS, *January 18, 1893.*

GENTLEMEN: I have the honor to acknowledge receipt of your communication of yesterday's date, together with a copy of the proclamation issued yesterday, informing me that for reasons set forth the Hawaiian monarchy has been abrogated, and a Provisional Government established, and requesting me to recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands, and to afford to it the moral support of my Government.

In answer, I have the honor to state that I comply with the above request, and recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands, within the scope of my authority.

I have the honor to be, gentlemen, your obedient servant,

H. RENJES,
Consul for Mexico.

Hons. SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
W. O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

VICE-CONSULATE OF RUSSIA,
Honolulu, January 18, 1893.

SIRS: I have the honor to acknowledge receipt of your communication of 17th inst., and in reply beg to inform you that I take pleasure to recognize the Provisional Government of Hawaii as defined in the proclamation inclosed in your letter, on behalf of the Government of Russia, and I shall afford to it my moral support as representative of the country last named.

I have the honor to be, sirs, your most obedient servant,

J. F. HACKFELD,
Acting Vice-Consul.

Messrs. SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
WILLIAM O. SMITH,
Executive Council of the Provisional Government of Hawaii, Honolula.

CONSULATE OF THE NETHERLANDS,
Honolulu, January 18, 1893.

SIR: I have the honor to acknowledge the receipt of the communication of the executive council of the Provisional Government of the Hawaiian Islands announcing the abrogation of the Hawaiian monarchy, of your possession of the Government, departmental buildings, the archives, and the treasury, as well as being in control of the city.

Added to the above is your request for the official recognition of the existing *de facto* Government of the Hawaiian Islands on behalf of the Kingdom of the Netherlands, which I have the honor to represent, and to give you the moral support of my Government.

In reply I take pleasure in assuring the gentlemen of the executive council, that I cordially extend to them full assent to their claim for recognition, and of my intention to add such moral support as may come within the scope of my consular authority.

I have the honor to be, gentlemen, your very obedient servant,

JOHN H. PATY,
Consul for the Netherlands.

Messrs. S. B. DOLE,
J. A. KING,
P. C. JONES,
W. O. SMITH,
Executive Council, Hawaiian Provisional Government, etc.

IMPERIAL GERMAN CONSULATE,
Hawaiian Islands, Honolulu, January 18, 1893.

To the Executive Council of the Provisional Government in Hawaii, Messrs. Sanford B. Dole, J. A. King, P. C. Jones, W. O. Smith:

GENTLEMEN: I have the honor to own receipt of your esteemed favor of yesterday's date, and hereby take much pleasure to recognize and acknowledge on behalf of the Government of Germany the present Government of the Hawaiian Islands, and that I shall do all in my power to further and support the same.

I have the honor to be, gentlemen, your most obedient servant,

H. F. GLADE,
Imperial German Consul.

KONGL SWENSTA OCH WORSTA KONSULATET,
Honolulu, January 18, 1893.

GENTLEMEN: I have the honor to acknowledge the receipt of your Excellency's communication of January 17 informing me that the Hawaiian monarchy has been abrogated and that a provisional Government has been established in Hawaii for reasons set forth in a proclamation, of which you sent me a copy; also that such Provisional Government has been proclaimed, is now in possession of the governmental departmental buildings, the archives and the treasury, and is in control of the city.

In reply to your request to recognize the Provisional Government and afford it the moral support of my Government, I beg to say that I do recognize it as the existing *de facto* government of the Hawaiian Islands, and that I shall report to my Government immediately.

I have the honor to remain, your excellencies', your most obedient servant,

H. W. SCHMIDT.

HONOLULU, *January 18, 1893.*

GENTLEMEN: I have the honor to own the receipt of your communication of yesterday's date, together with a copy of the proclamation issued yesterday, informing me that for reasons set forth the Hawaiian monarchy has been abrogated and a Provisional Government established, and requesting me to recognize the said Provisional Government on behalf of the Spanish Government as the existing *de facto* government of the Hawaiian Islands, and to afford to it the moral support of my Government.

In response, I have the honor to say that I comply with the above request and recognize the said Provisional Government as the *de facto* government of the Hawaiian Islands within the scope of my authority.

I have the honor to be, gentlemen, your most obedient servant,

H. RENJES,
Vice-Consul for Spain.

Hons. SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
W. O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

HIS IMPERIAL JAPANESE MAJESTY'S CONSULATE-GENERAL,
Honolulu, Hawaiian Islands, January 19, 1893.

GENTLEMEN: The receipt of your communication, dated the 17th instant, inclosing a copy of proclamation issued on the same day, informing me that for reasons set forth in said proclamation the Hawaiian monarchy has been abrogated and a Provisional Government established, which is now in possession of the Government departmental buildings, the archives, and the treasury, and requesting me on behalf of H. I. J. M.'s Government to recognize said Provisional Government as the *de facto* Government of the Hawaiian Islands, pending the receipt

of instructions from H. I. J. M.'s Government, to whom advices of your action and of the position which I have taken in relation thereto have been despatched.

I have the honor to be, gentlemen, your obedient servant,

SUBURO FUJII,
Agent and Consul-General.

Hons. SANFORD B. DOLE, J. A. KING, P. C. JONES, WM. O. SMITH,
Executive Council of the Provisional
Government of the Hawaiian Islands.

HONOLULU, *January 18, 1893.*

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of yesterday's date, together with a copy of the proclamation issued yesterday, whereby you inform me that for reasons set forth the Hawaiian monarchy has been abrogated and a Provisional Government established, the same being now in possession of the Government departmental buildings, the archives, and the treasury, and whereby you request me to recognize the said Provisional Government on behalf of the Government of Italy as the existing *de facto* Government of the Hawaiian Islands and to afford to it the moral support of my Government.

In response I have the honor to say that I comply with the above request, and recognize the said Provisional Government as the *de facto* Government of the Hawaiian Islands so far as my authority as consul for Italy may permit me to act for and on behalf of His Italian Majesty's Government in the premises.

I have the honor to be, gentlemen, your very obedient servant,

F. A. SCHAEFER,
Consul for Italy.

Hons. SANFORD B. DOLE, J. A. KING, P. C. JONES, and W. O. SMITH,
Executive Council of the Provisional
Government of the Hawaiian Islands.

[Translation.]

CONSULATE-GENERAL OF PORTUGAL IN HAWAII,
Honolulu, January 18, 1893.

SIR: You inform me by your letter of the 17th instant that, for the reason set forth in the proclamation which accompanies it, the Hawaiian monarchy has been abrogated and that a Provisional Government, which has been established in its place, is at this moment in possession of the Government buildings and master of the capital.

Under these circumstances I recognize the Provisional Government as being the *de facto* Government of Hawaii, and I hasten to submit the decision I have just taken to my Government.

Accept, sir, the assurance of my very distinguished consideration.

A. DE SOUZA CANAVARRO,
Consul-General and Chargé d'Affaires of Portugal.

Monsieur S. B. DOLE,
President of the Executive Council of the Provisional Government.

BRITISH LEGATION,
Honolulu, January 19, 1893.

GENTLEMEN: The receipt of your communication of the 17th instant is acknowledged, together with a copy of the proclamation, informing me that for reasons set forth in said proclamation the Hawaiian monarchy has been abrogated, and a Provisional Government established, and whereby you ask me to recognize the said Provisional Government on behalf of Her Britannic Majesty's Government as the existing *de facto* Government, and to afford it the moral support of my Government.

In reply, I beg to say that I recognize the Provisional Government as the existing *de facto* Government pending instructions from my Government.

I am, gentlemen, your obedient servant,

JAMES H. WODEHOUSE,
H. B. M.'s Minister Resident.

To the Members of the Executive Council of the Provisional Government of the Hawaiian Islands, Honolulu.

UNITED STATES LEGATION,
Honolulu, Hiwaiian Islands, January 17, 1893.

A provisional government having been duly constituted in place of the recent Government of Queen Lilioukalani, and said Provisional Government being in full possession of the Government buildings, the archives, and the treasury, and in control of the capital of the Hawaiian Islands, I hereby recognize said Provisional Government as the *de facto* Government of the Hawaiian Islands.

JOHN L. STEVENS,
Envoy Extraordinary and Minister Plenipotentiary of the United States.

ROYAL DANISH CONSULATE,
Honolulu, January 18, 1893.

SIRS: I have the honor to acknowledge the receipt of your communication of yesterday's date, inclosing a copy of proclamation issued last evening, informing me, that for reasons set forth in said proclamation, the Hawaiian Monarchy has been abrogated and a provisional government established, which is now in possession of the Government departmental buildings, the archives, and the treasury, and requesting me, on behalf of the Government of Denmark, to recognize said Provisional Government as the *de facto* government of the Hawaiian Islands, and to accord to it the moral support of my Government.

In reply, I have the honor to state that I hereby comply with the above request, recognizing the said Provisional Government as the *de facto* government of the Hawaiian Islands, to the extent that my authority will allow me to act, pending a reply from my Government.

I have the honor to be, sirs, yours, most obediently,

E. C. MACFARLANE,
Acting Vice-Consul for Denmark.

Messrs. SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
WILLIAM O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

CONSULATE OF BELGIUM, *January 18, 1893.*

SIRS: I have the honor to acknowledge receipt of your communication of 17th instant, and in reply beg to inform you that I take pleasure to recognize the Provisional Government of Hawaii as defined in the proclamation inclosed in your letter on behalf of the Government of Belgium, and I shall to it my moral support as representative of the country last named.

I have the honor to be, sirs, your most obedient servant,

J. HACKFELD,
Consul.

Messrs. SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
WILLIAM O. SMITH,
Executive Council of the Provisional Government of Hawaii, Honolulu.

CHINESE COMMERCIAL AGENCY,
Honolulu, January 18, 1893.

GENTLEMEN: We have the honor to acknowledge a receipt of your circular letter of the 17th instant covering a copy of the proclamation issued yesterday, whereby you inform us that the Hawaiian monarchy has been abrogated and a provisional government established, the latter being now in possession of the Government departmental buildings, the archives, and the treasury, and whereby you request us to recognize the said Provisional Government on behalf of the Government of the Empire of China as the existing *de facto* government of the Hawaiian Islands and to afford to it the moral support of our Government.

In answer we have the honor to say that we comply with your request and recognize the said Provisional Government as the *de facto* government of the Hawaiian Islands so far as our authority as commercial agents of China may allow us to act for and on behalf of His Imperial Chinese Majesty's Government.

We have the honor to be, gentlemen, your most obedient servants,

GOO KIM,
Chinese Commercial Agent.
WONG KWAI,
Assistant Chinese Commercial Agent.

Hons. SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
WILLIAM O. SMITH,
Executive Council of the Provisional Government of the Hawaiian Islands.

OFFICE OF THE PERUVIAN CONSULATE,
Honolulu, January 18, 1893.

GENTLEMEN: I have the honor to acknowledge the receipt of your valued communication of the 17th instant, inclosing a copy of the proclamation then issued, wherein it is set forth that the Hawaiian monarchy has been abrogated and a provisional government established.

You request me to recognize said government on behalf of the Government of Peru as the *de facto* government of the Hawaiian Islands, and to afford to it the moral support of my Government.

I have the honor to state, in reply, that I take pleasure in complying with your request, and I hereby recognize the said government as the *de facto* government of the Hawaiian Islands, in so far as my authority in the premises will permit.

I have the honor to remain, gentlemen, your most obedient servant,

BRUCE CARTWRIGHT,
Consul for Peru.

Hons. SANFORD B. DOLE,
J. A. KING,
P. C. JONES,
WM. O. SMITH,
Members of the Executive Council of the Provisional Government of the Hawaiian Islands.

[Translation.]

CONSULATE AND COMMISSARIAT OF FRANCE IN HAWAII,
Honolulu, January 18, 1893.

SIR: I have received the letter dated the 17th of this month by which you inform me that for the reasons indicated in the text of the proclamation which you handed to me on the same day, the members of the executive council, of which you are a part, have proclaimed, yesterday, the abrogation of the Hawaiian monarchy and the establishment of a provisional government.

In acknowledging the receipt of this communication I at once inform you that I have informed my Government of the events which have just taken place in this archipelago, adding that I recognize the actual condition of affairs pending instruction.

Accept, sir, the assurances of my most distinguished consideration,

VIZZAVONA.

Monsieur DOLE,
President of the Executive Council of the Provisional Government, Honolulu.

Senator GRAY. Were these printed contemporaneously with their recognition?

Mr. HOES. Yes. If it is desired I can state a very interesting point that I happen to know from personal knowledge in regard to the English recognition.

The CHAIRMAN. We are trying to ascertain when it was.

Mr. HOES. I was present in the room of the Provisional Government the first afternoon it was organized.

The CHAIRMAN. What date was that?

Mr. HOES. Saturday being the 14th, that was the 17th, Tuesday.

Senator GRAY. You were where?

Mr. HOES. As I said, I was present in the room of the Provisional Government the afternoon it held its first meeting, and while I was there the English commissioner, Maj. Wodehouse, came into the room and had a whispered conversation with President Dole which could not be heard, at least by me, and I do not think by anyone except the President. A short time after that, probably within one hour, I had

a short conversation with Maj. Wodehouse on the porch of the Government house in which he told me that he had recognized the Provisional Government. I suppose, of course, the inference was he had done it informally. I state this because there was a delay of twenty-four hours, or more, before he recognized the Government in writing. While his formal recognition was not made as early as those of the other representatives in Honolulu, he was in reality the first to recognize the new government, with the possible exception of the U. S. minister, Mr. Stevens.

Senator FRYE. Were you there when Mr. Stevens sent in his recognition?

Mr. HOES. I suppose I was, but I can not swear positively as to that.

Senator FRYE. But you think Mr. Wodehouse was the first one?

Mr. HOES. I do not know whether he preceded or succeeded Mr. Stevens.

Senator FRYE. What time was it that you were there and Mr. Wodehouse was there?

Mr. HOES. If I were asked what time Mr. Wodehouse had the whispered conversation with Mr. Dole I could not swear to it, but I should venture to say not far from 4 o'clock—in fact, probably after 4 o'clock.

The CHAIRMAN. Will you allow me to inquire what sort of a man Mr. Dole is? Give your description as you understand him. I would like to know something about his character and temper.

Mr. HOES. I am personally and intimately acquainted with President Dole. I regard him as mentally, morally, intellectually, and I may add, physically, one of the finest types of men I have ever met. He is broad-minded; he is conservative; he is dispassionate; and I believe I state the opinion of most men in that country when I say that he is more highly looked up to and respected than any other man in public and political life in that country.

The CHAIRMAN. From your knowledge of his character and bearing, would you suppose that he would be engaged in a mere adventure for revolutionizing the country for the purpose of getting political power into his hands?

Mr. HOES. I do not think that any such thought or suggestion could enter the mind of any man living in Honolulu or the Hawaiian kingdom.

The CHAIRMAN. As to Dole?

Mr. HOES. As to President Dole.

Senator FRYE. Were you there from the 1st of January, 1893, until after the revolution?

Mr. HOES. I was.

Senator FRYE. You may state, if you please, what you observed as taking place in the Legislature of the Hawaiian Islands during the month of December preceding the revolution.

Mr. HOES. That is a pretty broad question. It was a continuous scene of disordry and disgracefulness.

Senator FRYE. In what particular?

Mr. HOES. Bribery, undignified wrangle, and a perpetual fight to upset one ministry and to replace it with another.

Senator FRYE. What ministry were they undertaking to upset?

Mr. HOES. I could not carry the names of the various ministers composing the several cabinets in my mind any more than I could the movements of the men in a game of chess.

Senator FRYE. You know the Wilcox-Jones cabinet?

Mr. HOES. Yes.

Senator FRYE. That was composed of respectable men?

Mr. HOES. Highly.

Senator FRYE. Having the confidence of the people?

Mr. HOES. Having the confidence of the better class of the people, but not having the confidence of the class of the people led by unscrupulous adventurers like C. W. Ashford and others like him, totally devoid of character.

Senator FRYE. Was there an attempt being made to oust that cabinet?

Mr. HOES. Yes.

The CHAIRMAN. Were those attempts made for the purpose of personal aggrandizement of power or for questions that were up?

Mr. HOES. My understanding was, and I think the understanding of most of the honest men there was, that it was a fight between so-called royal prerogative on the one hand and honest government on the other—a contest between the Queen and her desire for personal and autocratic power on the one hand, and the better and higher interests of the Hawaiian people on the other.

The CHAIRMAN. That is a very general statement and I want to inquire of you whether this political controversy had reference to any particular legislation or executive action in reference to changes in the constitution, or any other thing—whether there was any real question.

Mr. HOES. I think at last it had primary reference to the passage of the so-called "lottery bill."

Senator FRYE. Do you remember when the *Boston* left the harbor and went down to Hilo?

Mr. HOES. Yes; very well.

Senator FRYE. At that time the Jones-Wilcox cabinet was in power, was it not?

Mr. HOES. It was.

Senator FRYE. State whether or not at that time there was a feeling of security that it would remain in power and that the thing was settled.

Mr. HOES. Yes; and I know, moreover, that it was the prevalent opinion among the best classes there that the lottery bill and lottery agitation would not be introduced again. It was the belief at that time that it had received its death blow at an earlier stage of the legislative proceedings, and, resting upon that belief, several of the legislators who would have voted against it, believing that all important legislation had already been transacted, left for their homes. This so weakened the numerical strength of the party of good order and the anti-lottery element in the legislature, that those who were in favor of the lottery saw that their chance had come, and, in the absence of the members referred to, and especially in the absence of the *Boston* and Mr. Stevens, the American minister, sprung the lottery bill very suddenly upon the legislature, and carried it through.

Senator FRYE. And they overturned the Jones-Wilcox cabinet?

Mr. HOES. Yes. I do not think I make any mistake in stating, in order to show with what haste the whole thing was managed, that the official announcement to the Legislature that the Queen had signed that lottery bill was made to the Legislature the very same morning that the Queen prorogued that body.

Senator FRYE. So that when the *Boston* actually sailed there was a feeling of security that the conditions of peace were to last until the end of that Legislature?

Mr. HOES. I believe that was the general feeling and belief.

Senator FRYE. When the *Boston* sailed there commenced a struggle

in the Legislature? Did that end in the enactment of the lottery and opium bills?

Mr. HOES. It did of the lottery bill; I am not clear in my mind as to the opium bill, because everybody was so concerned in the fate of the lottery bill that its discussion overshadowed everything else.

Senator FRYE. Did that not result in the displacement of the Jones-Wilcox cabinet?

Mr. HOES. It did.

Senator FRYE. Do you remember the return of the *Boston* on Saturday the 14th?

Mr. HOES. Yes.

Senator FRYE. Were you present and a spectator of most of the things that took place on the 14th, 15th, 16th, and 17th of January, 1893?

Mr. HOES. Most all of them.

Senator FRYE. Will you state day after day what was going on?

The CHAIRMAN. Commencing, I suppose, with the arrival of the *Boston* in the port of Honolulu?

Mr. HOES. When the Queen prorogued the Legislature I saw her leave the building in her state carriage and go to the palace. A few minutes subsequently I went home. Not long thereafter, I learned by telephone that the Queen had promulgated, or was about to promulgate, a new constitution. I went at once to the palace grounds, and found collected there a large crowd of natives listening to a harangue by a member of the late Legislature and friend of the Queen, named White, who spoke from the front steps of the palace. The action of the Queen created a great deal of excitement in the community—a suppressed, but at the same time a determined excitement.

The CHAIRMAN. State what came under your personal observation.

Mr. HOES. The next day was Sunday. The excitement continued. Everyone wondered what was to come next, and what was to be done next. Monday came and a poster was seen upon the street.

Senator FRYE. Was that the poster [exhibiting paper]?

Mr. HOES. It was a poster similar to this. I got this from the printing office.

Senator FRYE. How was it seen upon the streets? Was it posted?

Mr. HOES. Posted about the streets.

The CHAIRMAN. You mean on the houses?

Mr. HOES. Publicly posted, in the usual manner.

Senator FRYE. Calling for a meeting on Monday afternoon?

Mr. HOES. Yes. Shall I read this?

Senator FRYE. You may.

Mr. HOES. The poster is as follows:

"Mass meeting. A mass meeting of citizens will be held at the Beretania Street armory on Monday, January 16, at 2 p. m., to consider the present critical situation. Let all business places be closed. Per order of committee of safety. Honolulu, January 14, 1893."

Senator FRYE. Well?

Mr. HOES. I attended the meeting at the armory Monday afternoon, January 16. I was told that it was a larger and more enthusiastic meeting than gathered in the same place at the time of the revolution of 1887. I am informed that it was the most enthusiastic and unanimous meeting—I mean unanimous in the sentiments which seemed to pervade the people—of any state or political meeting ever held in Honolulu. That meeting appointed a committee of safety.

The CHAIRMAN. You say you were told that. What was your opinion?

Mr. HOES. I was not there in 1887, and therefore have no opinion on that point.

The CHAIRMAN. What is your opinion about the enthusiasm and zeal and unanimity of feeling at the meeting you attended.

Mr. HOES. I was told——

The CHAIRMAN. Not what you were told.

Mr. HOES. The enthusiasm and zeal of the meeting were its most conspicuous characteristics, and there was absolute unanimity of word and aetion. The resolutions that were offered were unanimously passed. There was no unhealthful excitement displayed. The people were naturally somewhat excited, but they had great confidence in Mr. Thurston and others who composed the committee of safety. They placed discretionary power in the hands of that committee, and the meeting adjourned. If there had been any persons present at that meeting who desired to offer opinions adverse to those which had been expressed by the speakers, I believe they would have been allowed to do so. There were none such offered or suggested.

The CHAIRMAN. You believe that?

Mr. HOES. I do; but of course I could not prove it. It would be only a matter of belief; but at all events no one offered to speak on the other side. The meeting adjourned and most of the crowd then poured down in front of the palace where they thought the meeting of natives in behalf of the Queen was in progress. I can not say what the feeling of that crowd was, or what their motive was in going around there, but I know what my own motive was—it was a feeling of curiosity and a desire to be present and see a row if there should be any, and I expected there would be one. I believe I had every reason to think so.

Senator FRYE. When you got there what was going on?

Mr. HOES. The meeting of natives had adjourned and the people had dispersed. I ought to go back and speak of something that occurred Monday morning. This meeting was held Monday afternoon, January 16. Monday morning a newspaper supplement appeared on the street, in the Hawaiian language, which was issued from the printing office of John E. Bush, and a copy of which you hold in your hand.

Senator FRYE. Was that in the Hawaiian language?

Mr. HOES. Yes.

Senator GRAY. When was that posted?

Mr. HOES. It was not posted, it was handed around to the crowd by carriers.

Senator GRAY. What day?

Mr. HOES. The morning of the day this meeting was held at the armory—Monday, January 16.

Senator GRAY. Can you translate that poster?

Mr. HOES. No.

The CHAIRMAN. Do you know what printing office it was printed at?

Mr. HOES. At Ka Leo O Ka Lahui printing office, I suppose. I wanted to speak of another point. It is in connection with the landing of the troops. The troops landed Monday. Monday night I heard an alarm of fire and I went to the fire.

Senator GRAY. Were you keeping house?

Mr. HOES. No. I kept house until my family returned to the United States, shortly before the revolution. There was an alarm of fire Monday night, and I went to the fire. It was one of two fires that occurred that night. I was informed that the natives and those who

led them had said that in case of the dethronement of the Queen the conduit pipes of the city would be tampered with, and that prominent houses would be burned.

Senator GRAY. Who informed you?

Mr. HOES. That was current rumor in Honolulu about that time. There are some things concerning which I can not speak from positive knowledge, but which were matters of popular rumor. But there was a feeling of fear prevalent; no one could tell what might be done, or what might not be done, by natives led on by white adventurers, who were aiming to excite the passions of the natives.

Senator FRYE. There was a pervading fear that there would be trouble?

Mr. HOES. Yes. There were, as I have said, two fires that night, one on Beretania street and another at Emma Square.

Senator FRYE. Did you think that night that life and property were in danger?

Mr. HOES. Yes.

Senator FRYE. Was there a feeling during Monday that the lives and property of Americans would be in danger?

Mr. HOES. There was a pervading fear of uncertainty. I believe that a great many people felt that their lives and property were in danger. After that meeting at the armory was held there was a feeling of insecurity. The meeting having placed broad discretionary powers into the hands of the committee of safety, the people awaited with patience and confidence the result of their deliberations. The next afternoon, Tuesday, came the reading of the proclamation dethroning the Queen and proclaiming the Provisional Government by the committee of safety. I was present at the Government house when the first troops of the Provisional Government filed in.

Senator Gray. The Government house?

Mr. HOES. The Government house. A sturdy, determined-looking set of men filed in there with muskets and rifles.

Senator GRAY. How many in the first squad?

Mr. HOES. In the first squad that went in there might have been 25 and there might have been 50.

Senator FRYE. Were you there when the proclamation was read?

Mr. HOES. I think I must have been there between five and ten minutes afterward, not longer than that.

Senator FRYE. Were many people in front of the Government buildings?

Mr. HOES. Not many.

Senator FRYE. Did the Provisional Government take possession of the public buildings?

Mr. HOES. They had absolute possession at that time of what is called the Government building, containing the offices of administration.

Senator FRYE. They immediately after that issued an "order," January 17, on Tuesday, calling for arms?

Mr. HOES. Yes; I have one here.

Senator FRYE. Did they issue that?

Mr. HOES. Yes. Shall I read it?

Senator FRYE. Yes.

Mr. HOES. It reads as follows:

"HONOLULU, HAWAIIAN ISLANDS, *January 17, 1893.*

"PROVISIONAL GOVERNMENT OF THE HAWAIIAN ISLANDS.

ORDER NO. 1.

"All persons favorable to the Provisional Government of the Hawaiian Islands are hereby requested to forthwith report to the Government at the Government building and to furnish to the Government such arms and ammunition as they may have in their possession or control as soon as possible in order that efficient and complete protection of life and property and the public peace may immediately and efficiently be put into operation

"SANFORD B. DOLE,
"J. A. KING,
"P. C. JONES,
"WILLIAM O. SMITH,
"*Executive Council of the Provisional Government of the Hawaiian Islands.*
"JOHN EMMELUTH,
"ANDREW BROWN,
"C. BOLTE,
"JAMES F. MORGAN,
"HENRY WATERHOUSE,
"S. M. DAMON,
"W. G. ASHLEY,
"E. D. TENNEY,
"F. W. MCCHESNEY,
"W. C. WILDER,
"*Advisory Council of the Provisional Government of the Hawaiian Islands.*"

Senator FRYE. Do you know how many troops the Provisional Government had at the time they took possession of the Government buildings?

Mr. HOES. Do you mean before that night was over?

Senator FRYE. Yes.

Mr. HOES. I do not know. I should say several hundred.

Senator FRYE. Armed or otherwise?

Mr. HOES. I think they were all armed. Among them were many of the best men in the community.

Senator FRYE. Do you know how many they succeeded in getting under arms under that proclamation?

Mr. HOES. I do not. I believe the number was increased steadily day by day, but to what extent I do not know.

Senator FRYE. Going back to Monday. In your opinion was there such a condition of things existing in Honolulu at that time as to require the presence of the American troops from the *Boston* to protect American life and property?

Mr. HOES. Most decidedly, in my opinion.

Senator FRYE. During all those weeks of revolution, and after the United States troops had arrived, did those troops take any part in the conflict between the Queen and the Provisional Government?

Mr. HOES. No, not to my knowledge.

Senator FRYE. Do you know whether during all that time of the days of the revolution the Provisional Government had any expectation of the assistance of the American troops?

Mr. HOES. I never heard it suggested.

Senator FRYE. In your opinion if the *Boston* had been a thousand miles at sea instead of in the harbor, would the Provisional Government have become a government at that time?

Mr. HOES. I believe it would.

Senator FRYE. In your opinion had it sufficient force to overcome all that the Queen could bring against it?

Mr. HOES. I think it had sufficent moral force and physical force.

Senator FRYE. Have you any doubt that the Provisional Government would have gone forward even in the absence of the *Boston* and the American troops?

Mr. HOES. I think the sentiment of the people would have forced the issue at that time.

The CHAIRMAN. The sentiment in regard to what?

Mr. HOES. The sentiment of the people as to their individual and collective rights.

The CHAIRMAN. Do you mean under the constitution?

Mr. HOES. I mean under the higher constitution, the constitution of revolution.

Senator FRYE. Did you have any conversation with any prominent Hawaiians in relation to the change of government?

Mr. HOES. I mingled a good deal during the time I was in Honolulu among the common Hawaiian people and among the prominent Hawaiian people. I was constantly studying the historical side of the question, as well as contemporary opinion, and I was persistently trying to learn the views of the people. To answer your question more exactly, I did have conversation with prominent Hawaiians.

Senator FRYE. Did you have any conversation with J. A. Kawainui?

Mr. HOES. Yes. He was the editor of the most prominent newspaper in the Kingdom—the Kuakoa.

Senator FRYE. When did you have that conversation?

Mr. HOES. Shortly after the revolution.

Senator FRYE. Will you please read it?

Mr. HOES. Yes, sir. (Reading:)

"The Kemehameha dynasty had a strong hold upon the native heart because of its noble ancestry, but Kalakaua and the late Queen, on account of their comparatively ignoble origin, did not command the respect due to genuine high chiefs. The corruption of Kalakaua and her late majesty have brought sore evils upon the Hawaiians. Then, too, certain designing foreigners have exercised a very pernicious political influence on the natives, and have sought to use them only for the accomplishment of their own ends. For my part I am tired of this state of things. What I want is good government. I do not care for a condition of affairs that is constantly shifting. We need a government that will be respected abroad and trusted at home. Either annexation to the United States or a protectorate. I prefer the former because of its greater stability. With annexation we should, of course, to a great degree enjoy the same condition of things that prevails in America. I have had enough of monarchy, and believe that the safety and prosperity of the country is dependent upon its annexation to the United States, and there are many of the intelligent native Hawaiians who agree with me in this opinion. The majority of my race are ignorant of what is really conducive to their best interests. It can not be a

matter of surprise that they look with fond recollections to the throne and the old institutions. The future seems so uncertain that they can not conceive what is in store for them, but when they find that they are treated justly under the new government, as they have been from the first day of its formation, and indorsed their attempts to effect organic union with the United States, they will quickly give it their confidence."

Senator FRYE. Did you have an interview with Hon. A. Kahi?

Mr. HOES. Yes.

Senator FRYE. A prominent member of the last royal Hawaiian Legislature?

Mr. HOES. Yes. Shall I read it?

Senator FRYE. Yes.

"I am 53 years old. During all these years I have lived under the Hawaiian monarchy, that is, under Kamehameha III, IV, and V, Lunalilo, Kalakaua, and the late Queen Liliuokalani. I was personally acquainted with all of these rulers, but it was not until the reign of Kalakaua that I commenced to take an active part in public life. I was perfectly familiar with the whole of that monarch's career. During the first half of his reign he conducted the Government with some regard to decency, but during the latter half the native Hawaiian people strongly objected to his actions. During the whole of this period the voice of the common people was never heard or felt in the Legislature. The King's henchmen and creatures were elected through the power and influence of the Crown for the sole purpose of carrying out the wishes of the King, in utter disregard of the desires and rights of the masses of the Hawaiian people. The common people had no show whatever at the elections. The Government officials were everywhere instructed to compel the people to elect the King's favorites. During these years many self-respecting Hawaiians resisted the encroachments of absolutism and made a desperate, but unavailing, fight against overwhelming odds. Kalakaua controlled every district justice, assessor, tax-collector, sheriff, and all other Government officials, and, through them, controlled the polls and drowned the voice of the people. The rule of the late Queen has been just as rotten and corrupt as that of her brother Kalakaua. The greatest mistake of her reign was the fact that she exceeded her brother in seeking and acting upon the advice of the most unwise and corrupt counselors, and it was this mistake on her part that cost her her throne. I stand for the rights of the people and not for the rights of any privileged person.

"Monarchy is dead, and I am glad of it. I rejoice and am proud to support the Provisional Government, for it commands my perfect confidence, and I was the fifth person in the country to swear my allegiance to it. What I desire is a firm and strong government, and I shall do everything to promote its stability. If we could have a stable republic, with President Dole at its head for four years, and his successor to hold office for the same length of time, it would be an ideal government, but if the present Provisional Government strongly advise annexation to the United States, as seems to be the fact, I shall heartily give it and the movement my support. My determination in this respect is fixed and unchangeable. There is no going backward; we must go forward. I believe that all those who will stop to think will agree with the views which I have expressed. I shall do everything in my power to show my constituents that these views are the only path to prosperity, and I believe that I shall succeed. The great mass of the Hawaiians are very poor, and some radical change must be made or they will be unable to obtain their means of livelihood.

There are foreign adventurers in this country, whose names I need not mention, who are cast down because by the recent change in public affairs they have lost the government pap. They are nothing but soreheads, and have grossly deceived and misled the native Hawaiians. Again, I say, I rejoice in the new order of things. I stated on the floor of the recent Legislature that the conduct of affairs under the late monarchy was thoroughly rotten. We have had quite enough of it, and it is my firm belief that the native Hawaiians will quickly recognize the recent government changes as a great blessing."

Mr. HOES. I ought to say one word in connection with this.

Senator GRAY. Were those notes made at the time of the conversation?

Mr. HOES. That is what I was about to speak of. The fact is, Mr. Kauhi can not speak a word of English, yet this statement of his seems to read very smoothly. I had a friend with me when I called upon Mr. Kauhi, who understood the Hawaiian language as perfectly as he did the English. This friend talked to Kauhi, received his replies to his questions, and then communicated them to me in English. I took his statement home and wrote it out, and then took it to my friend and told him that I would not be satisfied with it until it was submitted to its author. I went back with my friend to Kauhi, who translated the statement to him, and Kauhi said it was correct.

Senator FRYE. You stated you were studying the people for historical purposes?

Mr. HOES. Yes; and also to learn contemporary opinion.

Senator FRYE. Do you know R. W. Wilcox?

Mr. HOES. Fairly well.

Senator FRYE. Who is he?

Mr. HOES. He is the man who figured so prominently and conspicuously in the revolution of 1887, and has mingled in politics more or less ever since, and was a member of the last Hawaiian Legislature.

Senator FRYE. Do you know whether he was a witness before Mr. Blount or not?

Mr. HOES. I do not know.

Senator FRYE. Did you have an interview with Wilcox?

Mr. HOES. Yes.

Senator FRYE. Is this the interview? [Exhibiting the paper.]

Mr. HOES. Yes.

Senator FRYE. You may state when that was.

Mr. HOES. Shortly after the revolution.

"INTERVIEW OF R. W. WILCOX WITH R. R. HOES, HONOLULU, JANUARY 27, 1893.

"What are your views, Mr. Wilcox, in regard to the present situation in general?

"Queen Liliuokalani brought these evils upon herself and the country both by her personal corruption, and that of her Government. She surrounded herself with bad advisers, and seemed determined to drive the nation to destruction. Good people had no influence over her whatever, for she indignantly refused to listen to them. I believe that if we can be annexed to the United States, the rights of all of our citizens, and especially those of the native Hawaiians, will be protected more carefully than they have ever been under the monarchy.

"What, in your opinion, is the personal feeling of the native Hawaiian element in this community?

"My countrymen, with the exception of the most intelligent among them, do not understand much about these things. They need to be educated. They have so often been told by designing men that the United States was their enemy that they are naturally suspicious. Politicians who have sought to use the natives simply as so many tools have deceived them. When they understand from the lips of disinterested men and patriots what annexation means, and become acquainted with the benefits that it will bring them, they will be as much in favor of the movement as any of our other classes of citizens.

"Does the present Provisional Government command the respect of the native Hawaiians?

"They are naturally somewhat prejudiced against it, as monarchy is the only form of Government with which they are familiar, but this feeling will quickly wear away as the Hawaiians are led to see that the Government is friendly to them and their interests. They already have confidence in the integrity and patriotism of President Dole.

"You advocated annexation to the United States, I believe, several months ago, in your newspaper, 'The Liberal?'

"Yes, and I have repeatedly done so in public meetings held in this city.

"How long do you think it would be after hoisting the American flag before the natives would be entirely reconciled?

"Almost immediately.

"Are you doing anything to instruct the natives so that they may have correct views in regard to these matters?

"Yes; but I am compelled to move cautiously or I shall lose my influence over them. I believe I am doing a good work by constantly conversing with them on the subject. I have told my countrymen that the monarchy is gone forever, and when they ask me what is the best thing to follow it I tell them annexation, and I firmly believe that in a very short time every Hawaiian will be in favor of that step. The great thing is to keep them from being influenced by the arguments of designing men who pretend to be their friends, but who are really their enemies—men who will try and use them as tools to accomplish their own corrupt and selfish plans. We have had too much of this and it is high time to call for a halt.

"Have you confidence in the integrity and patriotic intentions of the commission that has just been sent to Washington by the Provisional Government?

"It is made up of good men, and I believe they will endeavor to do what is for the best interests of the country.

"The above is correctly reported.

"R. W. WILCOX."

Senator FRYE. That is signed by Mr. Wilcox?

Mr. HOES. Signed by him personally, and read to him carefully before he signed it.

The CHAIRMAN. By whom?

Mr. HOES. By me.

Senator FRYE. The day that the Government buildings were taken possession of by the Provisional Government and the proclamation was read were there any United States troops in front of the Government building?

Mr. HOES. I did not see any.

Senator FRYE. Do you know where they were at the time?

Mr. HOES. Yes.

Senator FRYE. Where were they?
Mr. HOES. In Arion Hall.
Senator FRYE. Back in the yard?
Mr. HOES. I can not say.
Senator FRYE. They were not in sight of the Government building?
Mr. HOES. I am sure I would have seen them if they could be seen from the front of the Government building, but I saw none.
Senator FRYE. Do you know anything that the United States did to help or hinder either side?
Mr. HOES. No.
Senator FRYE. Did you ever hear any complaint?
Mr. HOES. I never did, except that it was charged in a general way by the newspapers that she had been dethroned by Mr. Stevens and the United States forces.
Senator FRYE. The Royalist press?
Mr. HOES. Yes.
Senator GRAY. And the Royalist people?
Mr. HOES. I take it for granted that they made this charge, although I have no recollection of hearing any of them do so.
Senator GRAY. You did not come in contact with them?
Mr. HOES. Yes I did, I made it my study to associate with all classes.
Senator GRAY. You did not come in contact with the Royalist people on that point?
Mr. HOES. I have no recollection of that claim being put forward by them while I was there.
Senator FRYE. Is this a copy of the act of the bill 185 granting a franchise to establish and maintain a lottery [exhibiting paper]?
Mr. HOES. Yes; it is a copy of the original bill as introduced in the legislature.
The bill referred to is as follows:

No. 185 z.

Introduced by ———.
First reading, —— day of ———, 1892.
Second reading, —— day of ———, 1892.
Third reading, —— day of ———, 1892.

AN ACT granting a franchise to establish and maintain a lottery.

Be it enacted by the Queen and the Legislature of the Hawaiian Kingdom:

SECTION 1. The exclusive franchise is hereby granted to D. H. Cross, of Chicago, Illinois, United States of America; W. B. Davenport, of St. Louis, Missouri, United States of America, and John Phillips, J. J. Williams, and Dr. Gilbert Foote, of Honolulu, Oahu, Hawaiian Islands, and their successors and assigns, or such corporation as may hereafter be incorporated or organized by them, to establish and maintain a lottery and to sell lottery, policy, and combination tickets, devices, and certificates and fractional parts thereof at terms and prices in just proportion to the prizes to be drawn, and to insure perfect fairness and justice in the distribution of the prizes, for the term of twenty-five (25) years.

SECTION 2. The majority of the said grantees, or if a corporation be formed, then a majority of the directors of said corporation shall be domiciled in Honolulu, and said business shall be conducted in the city

of Honolulu, on the island of Oahu, Hawaiian Islands, where all the drawings of said lottery shall take place.

SECTION 3. The said grantees and their successors and assigns shall pay for said franchise to the Hawaiian Government the sum of five hundred thousand ($500,000) dollars each year, in quarterly installments, at the end of each quarter after the announcement of the first drawing; that is to say, on the 31st day of March, the 30th day of June, the 30th day of September, and the 31st day of December, of each year.

SECTION 4. Said sum shall be devoted to the uses and purposes hereinafter set forth, and the minister of finance is hereby authorized to pay the same as herein provided, as long as the same is received for said franchise.

First. Subsidy to be paid for an ocean cable between the port of Honolulu and a port on the North American Continent connecting with any American telegraph system, one hundred thousand ($100,000) dollars per annum. This subsidy shall be paid in quarterly installments in the manner in which it is received, to such company with which the Hawaiian Government may enter into a contract under Chapter LXX of the session laws of 1890, and to commence after the sending of the first message over such cable, and to continue as long as such cable is maintained in working order.

Second. Subsidy to be paid for the construction and maintenance of a railroad around the island of Oahu, fifty thousand ($50,000) dollars per annum, to be paid to such company who may construct and maintain such railroad and during such time in which said railroad is kept in operation.

Third. Subsidy to be paid for the construction and maintenance of a railroad from Hilo, Island of Hawaii, through the districts of Hilo and Hamakua, fifty-thousand ($50,000) dollars per annum, to be paid during such period during which said railroad is kept in operation.

Fourth. For improving and maintaining the improvements of Honolulu Harbor, fifty thousand ($50,000) dollars per annum.

Fifth. For roads, bridges, landings, and wharves in the Hawaiian Kingdom, one hundred and seventy-five thousand ($175,000) dollars per annum, to be apportioned as follows: Island of Oahu, fifty thousand ($50,000) dollars; Island of Hawaii, sixty thousand ($60,000) dollars; Island of Maui, forty thousand ($40,000) dollars; Island of Kauai, twenty-five thousand ($25,000) dollars.

Sixth. For the encouragement of industries in the Hawaiian Kingdom, fifty thousand ($50,000) dollars per annum, to be disbursed as may be from time to time directed by the Legislature.

Seventh. For the encouragement of tourist travel and immigration, twenty-five thousand ($25,000) dollars per annum, to be disbursed as may be from time to time directed by the Legislature.

Eighth. If at any time during the existence of this franchise the provisions of the reciprocity treaty relating to Pearl Harbor should be abrogated, then the amounts mentioned in subdivisions fifth and seventh shall be used as a subsidy for the purpose of opening the harbor known as Pearl Harbor and erecting and maintaining dry docks and other improvements in said harbor.

Ninth. If for any reason any of the above subsidies can not be applied to the purposes herein set forth, then the sums so set apart shall be used as from time to time the Legislature may direct.

SECTION 5. The grantees and their successors and assigns shall be exempted from any and all taxes and license fees of any kind whatsoever upon or for said franchise, except the said sum of five hundred thousand ($500,000) dollars per annum, paid as aforesaid.

SECTION 6. The minister of the interior is hereby authorized to grant a charter of incorporation to the grantees of this franchise and their successors and assigns, in conformity with this act, and under the following conditions:

First. The capital stock of such corporation shall be five million ($5,000,000) dollars, represented by fifty thousand (50,000) shares of stock of one hundred ($100) dollars each, par value, provided the said capital stock may be increased to ten million ($10,000,000) dollars, represented by one hundred thousand (100,000) shares of par value of one hundred ($100) dollars each share.

Second. All powers of the corporation shall be vested in a board of directors to consist of five (5) persons, each of whom shall own at least five hundred (500) shares of the capital stock of the said corporation.

Third. The corporation shall be empowered to sue and be sued, to plead and be impleaded, to appear in any court of record or justice, and to do any other lawful act, such as any person or persons might do for their own defense, interest, or safety, in its corporate name.

Fourth. The president and secretary of the board of directors shall be the proper persons upon whom citations, notices, and other legal process shall be served.

Fifth. The corporation shall furnish bonds to the minister of finance in the sum of one hundred and twenty-five thousand ($125,000) dollars as surety for the prompt and punctual payment of the sums and in the manner set forth in section 3 (three) of this act; which bond shall be filed at the time when the first drawing and distribution of prizes is announced.

Sixth. The board of directors shall have power to establish as many agencies as may be necessary, and to appoint a president, superintendent, secretary and treasurer, and such clerks and agents as may be required, and may remove them at pleasure, fix salaries of all officers and employees of the corporation (except that of the commissioners appointed by the Queen, with the approval of the cabinet as hereinafter provided), and fix the amount of their respective bonds and sureties, and shall make and establish such rules and by-laws for the proper management and regulation of the affairs of the corporation as may be necessary and proper. A majority of the board of directors shall be necessary to constitute a quorum, and shall have power to remove any officer of the company. The board of directors shall have power to fill any vacancy that may occur by death, resignation, or removal.

Seventh. At all meetings held for election of directors or for any other purpose, every stockholder whose name is entered upon the books of the company as such, and none other, shall be entitled, either directly or by proxy, to cast one vote for each share of capital stock held by him. All transfers of stock shall be made and entered on the books of the company.

Eighth. The persons named in the first clause of this act shall be, and they are hereby, constituted the first board of directors, who shall at their first meeting appoint one of their number president, and the said board shall serve for two (2) years from the time this incorporation takes effect, and thereafter until their successors are elected and qualified, at the expiration of which term a meeting of the stockholders for the election of a board of directors shall be held on a day fixed for all elections thereafter. A two-thirds ($\frac{2}{3}$) vote shall be necessary to constitute an election, and if no election be held, the meeting will adjourn over one (1) year.

Ninth. There shall be two (2) commissioners appointed by the Queen with the approval of the cabinet, who shall hold office during the pleasure of the Queen and cabinet. The duties of said commissioners shall be to preside at all Lottery drawings and to superintend the same and secure perfect fairness in the allotment of prizes in each scheme. The salary of said commissioners shall be six thousand ($6,000) dollars per annum each, payable out of the treasury of the corporation in quarterly installments. The said commissioners shall not own or be interested in the capital stock of the said corporation, nor purchase nor own any ticket or tickets, devices, certificates, or fractional parts thereof.

Tenth. All drawings of lotteries under this act shall be made public, admission free, and it shall be compulsory upon said company to hold annually twelve (12) regular drawings, and as many additional special drawings as the directors of said company may designate;

Eleventh. The stockholders of the capital stock of the corporation shall be liable to the creditors of said corporation to the amount of the shares by them respectively held.

Twelfth. The corporation shall present a full and accurate account or exhibit of the state of its affairs to the minister of the interior, on the first day of January of each and every year.

Thirteenth. At the expiration of this franchise, three (3) commissioners shall be elected by the stockholders, whose duty it shall be to liquidate its affairs on such terms and in such manner as shall be determined by a majority vote as set forth in subdivision eight of section 6 (six) of this act.

SECTION 7. Any person selling, offering or exposing for sale after the 31st day of December, 1892, any lottery or policy, or combination ticket or tickets, or devices or certificates or fractional parts thereof, except as authorized by this act, or in violation of this act, or in violation of the rights and privileges herein granted, shall be liable, upon conviction thereof to a fine not exceeding five thousand ($5,000) dollars, nor less than five hundred ($500) dollars for each and every offence, and all police and district courts of this Kingdom shall have jurisdiction in such cases.

SECTION 8. The grantees of this franchise and their successors and assigns, shall have the right during the whole term of said franchise, to dispose of by lottery or a series of lotteries, any land, improved or unimproved, which said corporation may become possessed of by purchase or otherwise in the Hawaiian Islands, but such lands shall be disposed of by special drawings only, which shall be advertised as drawings for property.

SECTION 9. The grantees of this franchise and their successors and assigns, are hereby given the right of uninterrupted passage through the mails of the Hawaiian postal system, of all written and printed matter relating to or connected with the business of said lottery upon paying current rates of postage therefor.

SECTION 10. This act shall take effect from and after its approval, and all acts and parts of acts in conflict with the same are hereby repealed.

Senator FRYE. Do you think that the Provisional Government would have succeeded in accomplishing its purpose of overthrowing the Queen and taking possession of the Government buildings if there had been no United States troops there?

Mr. HOES. I have not the slightest doubt they would have done so. If they had not, others would have done it for them. But these are among the strongest men in the community, and in the whole country.

Senator FRYE. The Provisional Government was formed on the 17th of January, and you left the next March?

Mr. HOES. Yes.

Senator FRYE. What was the condition of affairs in the Hawaiian Islands after the Provisional Government was formed?

Mr. HOES. Absolute quietness.

Senator FRYE. Any apparent unrest on the part of the opponents of it?

Mr. HOES. None, except what was expressed in the Royalist paper, the Bulletin. The city was just as quiet as any country town in New England.

Senator FRYE. Is that Government qualified to maintain itself?

Mr. HOES. I am quite sure of it.

Senator FRYE. Are you acquainted with the members of the committee of safety?

Mr. HOES. Most of them. Of the 14 whose names are attached to the proclamation establishing the Provisional Government I am personally acquainted with all but 1.

Senator FRYE. What is the character of these men?

Mr. HOES. I believe they represent in every respect the best element in the country.

Senator FRYE. Reliable men?

Mr. HOES. I believe them all to be.

Senator FRYE. Do you know Sam Parker, Colburn, and Cornwell?

Mr. HOES. I know Sam Parker and I know Cornwell.

Senator FRYE. Did you know our minister, Mr. Stevens?

Mr. HOES. Very intimately.

Senator FRYE. What was your estimate of him?

Mr. HOES. I always regarded him as a remarkable man.

Senator FRYE. As an honest man?

Mr. HOES. As a conservative, honest, conscientious man; a man who never, under any circumstances, lost his head; a man who never acted under impulse. I sustained confidential relations with Mr. Stevens. I think I had his implicit confidence, and I know that he had mine.

Senator FRYE. Did you ever learn from Mr. Stevens that he intended to interfere with the government of the Queen or the Provisional Government?

Mr. HOES. I never learned it from him, and I flatter myself if he had told any of his associates of the fact he would have told me, because we often conversed confidentially about Hawaiian matters.

Senator FRYE. In your opinion was the request made by the minister upon Capt. Wiltse to land the troops on Monday wise and discreet?

Mr. HOES. I think it was.

Senator FRYE. Were you there when Mr. Blount was there?

Mr. HOES. No.

Senator FRYE. You understand the purpose of this committee is to obtain whatever information it can, especially in reference to what took place after the revolution and the establishment of the Provisional Government. Can you think of anything you wish to say that will be information to the committee?

Mr. HOES. I do not recall anything in particular.

Senator GRAY. Where are you from, what State?

Mr. HOES. New York.

Senator GRAY. As I understand, you are a chaplain in the Navy

Mr. HOES. In the U. S. Navy.

Senator GRAY. You were on those islands, for the reasons that you have described, from what date?

Mr. HOES. From the 25th of September, 1891, until the 9th of March, 1893.

Senator GRAY. You were there long enough to become very well acquainted with the residents of the island and the people, as you have related?

Mr. HOES. Yes.

Senator GRAY. Did you ever observe any considerable annexation sentiment before the emeute of January, 1893?

Mr. HOES. I observed a very general opinion held by the prominent people there, that annexation was the ultimate solution of the Hawaiian question, but I did not observe any particular sentiment as to when that event would take place.

Senator GRAY. Was that a growing sentiment among the American population, so called?

Mr. HOES. I do not know whether it was growing; it seemed to be generally prevalent.

Senator GRAY. I mean during the time you were there?

Mr. HOES. Yes.

Senator GRAY. Was it understood by you during the Saturday and Monday and Tuesday, which were the eventful ones in this revolution, there was a movement for annexation?

Mr. HOES. I do not believe the people knew or cared what it was for, so long as it resulted in the establishment of good government. I believe the people reposed such absolute confidence in the committee of safety that they would follow them through fire and water.

Senator GRAY. What people?

Mr. HOES. I mean the people who desired law and order and good government.

Senator GRAY. That is the portion that started the Provincial Government at the time?

Mr. HOES. Yes, the portion that started it, and subsequently upheld it.

Senator GRAY. Was it not a fact, in your own observation, that on Monday and Tuesday, particularly Tuesday, it was mooted about that this movement was an annexation movement as a fact?

Mr. HOES. I have not any recollection that it was.

Senator GRAY. One of the gentlemen who was a member of the committee of safety and was active in the military operations and has testified before the committee, in stirring up the people, as he was active in doing, he found that he could not do it until he told them it was for annexation to the United States. Have you any knowledge on that subject?

Mr. HOES. I have no recollection of hearing that talked about at that time. The feeling of the people was simply as I have described it. It was such an intense desire to be rid of royalty, as it had existed and acted in Hawaii, that any solution would have been accepted if advocated by the committee of safety.

Senator GRAY. Did you not understand that the proclamation of the Provisional Government declared that it would be established until annexation should be declared between the islands and the United States.

Mr. HOES. I believe it was so expressed, but, I believe the meaning intended by that phrase——

Senator GRAY. Do you not know that Mr. Thurston has always been an ardent annexationist?

Mr. HOES. I have heard Mr. Thurston make a great many addresses in the Legislature, but I never heard him use a phrase advocating annexation.

Senator GRAY. Would you expect to hear him in the Legislature?

Mr. HOES. The Legislature was made up of a band of honest men on one side, pitted against an unprincipled rabble on the other. Mr. Thurston was never afraid to express his honest convictions at any proper time, or in any fitting place, and, had he so chosen, he would have been as willing to advocate annexation in the Legislature as upon the public rostrum.

Senator GRAY. Did you expect him to advocate annexation in their Legislature?

Mr. HOES. Yes; openly, at the proper time, had he seen fit.

Senator GRAY. Why would he do it?

Mr. HOES. I do not believe that those who might have been in favor of annexation thought the time was ripe for it. That leads me to say that, in my opinion, twenty-four hours, or even ten hours previous to the prorogation of that Legislature the idea of annexation as an event soon to be consummated never entered the head of any man composing the present Government and its band of officials, not even Thurston's.

Senator GRAY. Many things that occurred within the course of the revolution, so called, so far as its time is concerned, but after the revolution, after the events commenced to shape themselves, did not you understand that annexation was a part of it?

Mr. HOES. I did not until the proclamation was read by the Provisional Government.

Senator GRAY. Were you present at the meetings of the committee of safety?

Mr. HOES. Never.

Senator GRAY. Were you not consulted by persons who were active in that revolution?

Mr. HOES. What do you mean by consultation?

Senator GRAY. As to their plans.

Mr. HOES. No; I was in total ignorance of them.

Senator GRAY. You were not in the movement?

Mr. HOES. No.

Senator GRAY. Did you see Mr. Stevens during those three days?

Mr. HOES. I am unable to say, but very likely I did.

Senator GRAY. But you have no distinct recollection? You could not say that you saw him at that time?

Mr. HOES. I could not swear to it.

Senator GRAY. And you can not speak of your own knowledge of his conduct during the period of which I have been speaking—three days?

Mr. HOES. No; if you mean personal knowledge—knowledge that I would derive from Mr. Stevens himself.

Senator GRAY. What lawyers call personal knowledge.

Mr. HOES. No.

Adjourned to meet on notice.

WASHINGTON, D. C., *Monday, February 5, 1894.*

Subcommittee met pursuant to notice.

Present the chairman (Senator Morgan), Senators Gray, Sherman, and Frye.

Absent, Senator Butler.

SWORN STATEMENT OF WILLIAM E. SIMPSON.

The CHAIRMAN. When did you first visit the Hawaiian Islands?

Mr. SIMPSON. I went to Honolulu on the first ship which left San Francisco after the Presidential election, and was on the ship that carried the news that Mr. Cleveland had been elected. This was in 1892, and I must say that I never witnessed such a public demonstration as there was when the knowledge was given out that Mr. Cleveland was elected. The wish had been so general that he should be elected that of record there was not more than half a dozen wagers that the election would be otherwise. I never saw a community so bound up in the information which they hoped to receive, that Mr. Cleveland would be elected.

The CHAIRMAN. Was that common to all classes, natives as well as the white people?

Mr. SIMPSON. Natives, Germans, English, and Americans. They told me afterward that the oldest inhabitants never knew when the wharves had been so well filled with people as they were upon the arrival of that ship, expecting Mr. Cleveland's election. That impressed me as being a very clear idea of what they wanted down there.

The CHAIRMAN. Was there any satisfactory reason stated that was commonly accepted by this mass of people for their rejoicings at Mr. Cleveland's election?

Mr. SIMPSON. Yes; and it was acquiesced in by all classes. The people at that time believed that the action of the McKinley bill in placing sugar from all countries on the free list and placing a bounty of 2 cents a pound on American-grown sugar was an injustice to the sugar-raisers who are so much Americans that it practically meant all of them, and those who were not Americans secured their profits from the business by their proximity to the American market. They believed it was an injustice, for the reason that, in 1876, when the reciprocity treaty was concluded and put into effect between the United States and the Sandwich Islands, it had been done with the direct purpose of augmenting the sugar interests of the Americans living in the islands, and the best reasons that I could get for the same favor not being shown them when the McKinley bill was put into effect was that the matter had been overlooked by the framers of the bill.

The CHAIRMAN. What was the purpose of your visit to Hawaii?

Mr. SIMPSON. In July, 1892, having previously been in the commission business in Tacoma, it was brought to my attention that the bananas raised in the Hawaiian market would find a much better market in the Northwest if they were brought direct; that in handling the trade the principal profits were made by the San Francisco jobbers and consumed by the extra freights to such an extent that they had been getting their bananas to the Northwest from New Orleans by rail by the way of San Francisco. In looking up the matter, and having been commissioned by some of the business houses there to go to Honolulu and secure a cargo of bananas, I became interested in the subject. I looked the

matter up carefully, and from the investigation I had given it I came to the conclusion that there was a splendid market for the merchants and farmers in the Hawaiian Islands. I found that nearly all the bananas that were raised were shipped to San Francisco and reshipped by the San Francisco trader with the Hawaiian Islands. So I collected considerable data, compiled it——

The CHAIRMAN. Were your observations confined to the banana trade?

Mr. SIMPSON. No; confined to all lines of trade. I immediately organized a company for the purpose of running a steamship from Tacoma, in the State of Washington, to Honolulu. When the organization of the company was completed the board of directors requested me to go to Honolulu to see what arrangements could be made for the steamship we hoped to place on the line. Prior to going to Honolulu I made a tour of the principal cities of the Northwest and received orders for 5,000 bunches of bananas per month.

The CHAIRMAN. You mean the American cities?

Mr. SIMPSON. The American cities in the Pacific northwest. That insured us a profitable cargo coming back. I based my calculations on the successful operations of the company with freight transportations, paying no attention to the passenger part of it, because that was not staple; you could not depend upon its being a regular thing. I collected data from the various manufacturers and farmers in the Pacific northwest, and went supplied with samples of all kinds and descriptions ready to do business with Honolulu. When I got there I immediately made myself known through letters of introduction from the chambers of commerce in Tacoma and Seattle and from the governor of the State and various others. A meeting of the chamber of commerce was arranged, and I appeared before those gentlemen and laid the matter before them. They thought quite favorably of it. The great trouble I had to work against the first week was their lack of knowledge of the Pacific northwest, but they became satisfied that they were buying goods in a market that had originated in our country. They entered with considerably spirit into the scheme. I established an agency with the house of C. Brewer & Co., the oldest house doing business in the islands. They were very enthusiastic over the matter.

The CHAIRMAN. I do not care about the present details of your business transaction. Did you find the commercial community of Honolulu aroused to an interest in your enterprise?

Mr. SIMPSON. Yes; and that interest was manifested in the orders that they gave me. They gave me an order for 1,250 tons of merchandise, consisting of oats, wheat, and barley.

The CHAIRMAN. Did you start your line in operation?

Mr. SIMPSON. No, sir.

The CHAIRMAN. What prevented it?

Mr. SIMPSON. The revolution prevented it.

The CHAIRMAN. To what revolution do you refer?

Mr. SIMPSON. The revolution of January 14 to 17, in Honolulu. I left the islands on the steamer prior to the revolution. At that time there was no intimation that any such thing would take place. For months the Legislature had been in session. I had become well acquainted with the leaders on both sides of the question, for the reason that I had made application to the Legislature for a subsidy.

The CHAIRMAN. Did you succeed in getting it?

Mr. SIMPSON. Yes. The subsidy consisting of $500 per trip, mail contract, remission of all port charges, light-house fees, free wharfage,

free storage, and remission of all dues upon any goods which were transported to Honolulu for the use of our company. Just prior to the time I made my application Mr. Spreckles was engaged in the same thing. His subsidy was about to run out, and I was told that it cost him considerable money to get his subsidy through. I waited until he got his subsidy through, and I worked mine through on the proposition that what is good for the goose is good for the gander. So soon as the natives learned that I had no money—I was approached by some of them——

The CHAIRMAN. You speak of native members of the Legislature?

Mr. SIMPSON. Some of the native members.

The CHAIRMAN. Did you concede anything to them on that score—use any money?

Mr. SIMPSON. Not the slightest. All the money that was spent was on a prospectus in the American language and the Kanaka language.

The CHAIRMAN. Which cabinet signed your concession?

Mr. SIMPSON. It was known as the Wilcox-Jones cabinet. It consisted of Wilcox, P. C. Jones, and the minister of foreign affairs, a native, but in sympathy with the American movement. The Legislature granted my subsidy with not more than 3 votes against it, whereas Mr. Spreckels's subsidy carried quite a number of votes against it, from the fact that he did not see them all in the proper spirit. Before I went to the Hawaiian Islands the impression I had always had was that Mr. Spreckles controlled things down there. After I had been there a while I found that to be untrue. There were six business houses there, and they practically do all the business in the islands, with the exception of what local retail trade there is done outside of Honolulu. These six houses are either owners, part owners, managers, or agents for all of the sugar plantations and some of the other plantations in the islands. They practically control the entire business of the islands.

The CHAIRMAN. In that industry?

Mr. SIMPSON. Commercially.

The CHAIRMAN. You speak that broadly.

Mr. SIMPSON. I speak that quite broadly. They buy in the round lot for their own sailing vessels. They buy and sell the sugar and rice, and they supply the plantations with whatever they need and operate them, acting for resident and nonresident owners. I do not know that I can better explain my ideas of the situation politically as it stood than by giving you a small extract of an interview which was published in the Portland (Oregon) Telegram, January 15, 1893.

The CHAIRMAN. That was while the revolution was going on?

Mr. SIMPSON. While it was going on and before I returned to the islands, and prior to any information being received in this country.

"POLITICAL MATTERS.

"The Legislature of the Hawaiian Kingdom is composed of representatives and nobles, elected by the people, the representatives being in the same relative standing as our Representatives and the nobles taking the place of our Senators. They all sit together as a body of the whole, and it is a very interesting proceeding to see and hear them transact business, as all speeches delivered by natives and in the native language are immediately interpreted and repeated in English, and everything said by members who speak the English language is likewise interpreted into the native speech. The cabinet of the country

is appointed by the Queen, under the advisement of the leader of the party voting a 'lack of confidence' in the previous cabinet.

"ANNEXATION QUESTION.

"A great deal is heard there in reference to annexation to the United States. This agitation doubtless originates from the fact that prior to the passage of the McKinley bill Hawaiian sugar entered the ports of the United States free, while sugars from all other countries paid a duty. The McKinley bill placed the Hawaiian product on an equal basis with that of all other countries, and the American Government pays 2 cents per pound on its home-grown sugar. This the plantation owners of the Hawaiian Islands believe to be an injustice, and with good reason, as of the $36,000,000 assessed valuation of the property in the country American citizens own $22,000,000, or nearly two-thirds of the taxable property in the Kingdom. There is a great difference of opinion even among the American residents of the islands as to whether annexation would be the best method out of the difficulty or not.

"Among other remedies they mention for placing them on their former footing is for the United States Government to cease the payment of a bounty on sugar grown in this country; for it to place a duty of 1 cent per pound on all other foreign sugars, admitting the Hawaiian product free, and the payment of a bounty of 1 cent per pound by this Government to the Hawaiian sugar planters. Of the foreign population of the Hawaiian Islands, after the Portuguese, the Americans predominate, with the Germans and English about evenly divided. The Germans as a rule take sides with the Americans in all commercial undertakings, while the English of course oppose the annexation of the island to the United States, and in support of their position argue that the natives would lose their identity in becoming suffragists of the American Government."

Now the data that I looked up, prior to the time that the company was organized, begun with the commercial beginning of the islands and extends up to the present time. It is historical, and shows the connected commercial workings of the islands from the time Capt. Cook landed there in 1778.

The CHAIRMAN. Before you go into that I would like to ask you something more about the political situation in Hawaii at the time you were there. What time did you leave the islands to go away?

Mr. SIMPSON. It was a few days before Christmas. I do not remember the date of the month. It was a few days before Christmas, 1892.

The CHAIRMAN. Was the subject of annexation, of which you spoke, a matter of much conversation among the people there at that time?

Mr. SIMPSON. It was.

Senator SHERMAN. A few days before Christmas, 1892, you left the islands?

Mr. SIMPSON. Yes.

The CHAIRMAN. That was the only visit you made to Hawaii?

Mr. SIMPSON. That was all. My visit was made for purely commercial enterprises. The only interest I had in getting acquainted with the people was to further the interests of my corporation. The people, as nearly as I can remember now, were in this condition: The Legislature had been in session a number of months longer than its ordinary term. The white members, composed principally of the wealthy citizens in the islands, were sacrificing their business and remaining

in Honolulu in attendance upon the Legislature. It was a pecuniary loss to them, but they did it purely in a spirit of defense; that is to say, they expected some action of the Queen, through her henchmen in the Legislature, which would be detrimental to the business interests of the islands; just what it was they did not know. There was nobody there who was willing to say that annexation would likely take place within the near future. The general impression was that it was bound to come. They were to wait, but they feared some action of the Queen. They had no idea that the subject of a new constitution was under consideration. They had no idea that the Queen would be able to pass this opium bill. While, of course, that had been introduced in the Legislature, it had been side tracked. So long as these white members remained in Honolulu there was a feeling that the Queen could not carry it through.

The CHAIRMAN. Are the same remarks applicable to the lottery bill?

Mr. SIMPSON. And the lottery bill. But they finally stayed on so long that one after another would drop out, and very shortly the Queen had control of the legislature, and, as I am informed, she had these bills passed. The people went about their ordinary business. They did not disguise the annexation question, nor disguise any of the Queen's actions at all, but treated the thing as though she and the particular bill she desired to put through were standing menaces of their interests. I had several talks with Minister Stevens while I was there. Minister Stevens had been advocating the same principle of trade in Honolulu that I had been advocating in the Puget Sound region, and when he learned that I had, he very kindly called on me at the hotel and I returned his call. In the course of several conversations we became as intimate as persons might be under the circumstances. We talked principally as to the interests of the country in a commercial way. While we talked in a general way, I can not recall anything that Mr. Stevens said to me that I could construe as being in the light of anything more than a wish.

He told me that frankly and politely—made no bones about it—that the question of annexation was certainly a very live one there, and that it undoubtedly would become an issue sooner or later. He also told me that he did not express his opinion on the subject to anybody in Honolulu. That I remember distinctly. He told me that he could not do that, because it would give a wrong impression. He always stated that he took information from all classes, and I remember that some information he gave me appeared to me as though the thing must necessarily come up in some shape sooner or later. That was that in 1876, when the reciprocity treaty between this country and the Hawaiian Islands was first put into effect, the United States had practically exercised protection over these islands; that it was beyond any question not only the duty of the United States to exercise this protection at that time, but to continue to do it, on account of the monetary interests of its citizens. Mr. Stevens stated that the United States was the only country that had systematically kept a war ship there; that the British Government rarely had a ship there, and then only temporarily on its way to Australia.

The CHAIRMAN. I suppose you have stated as fully as you desire to do the political situation out there? Are there any other facts you wish to state?

Mr. SIMPSON. The natives did not seem to take any particular interest in the matter except that they felt that something ought to be done by the United States to relieve the sugar situation. They had no

organized idea as to annexation or a protectorate or a better treaty, or anything of the sort, and they did not look to their own Government; they looked to the United States to relieve them. I guess that is about all I have to say on that subject.

The CHAIRMAN. Now, if you will, proceed to give the data which you say you have collected with respect to the commercial situation of Hawaii.

Mr. SIMPSON. Prior to the settlement of the white men in the islands, the native products were taro (or kalo), sweet potatoes, yams, sugar cane, bananas, calabash gourds, wauke (or paper mulberry), out of which they made their clothes; awa, from which they manufactured their drinks, and also a few hogs and fowls. At that time there was no circulating medium, the trade being carried on by barter. The natives were not an ingenious people, and the improvements they made were quite crude, but apparently carried on with very good judgment. They built extensive irrigation ditches, and leveled terraces, and worked their taro patches with very crude tools and implements. The first trade with the outside world was in January, 1778, when Cook traded them some nails and bits of iron for hogs, vegetables, fresh water, and wood. Portlock and Dixon were the first to recognize the commercial importance of the geographical location of the group in 1786, when they purposely made it a stopping place to replenish their ships. Portlock and Dixon were engaged in buying furs from Indians on the Northwest coast of America and selling them in the Canton market. This trade was augmented to a considerable extent.

In 1791 Capt. Kendrick, of Boston, in the sloop *Lady Washington*, left 3 sailors at Kauai to collect sandalwood and pearls against his return to England. This was the beginning of the sandalwood trade with China, which reached its height during the period of years covered from 1810 to 1825. Sandalwood was sold on board the vessels in the Hawaiian Islands at that time at $10 a picul, or 135⅓ pounds. The trade averaged $400,000 a year for some years. In 1835 the sandalwood trade had practically ended. Capt. Vancouver first gave the natives the slips and seed for raising orange trees and grapevines and many other subtropical plants, in 1792. The great bulk of marketable vegetation of the islands was not indigenous to the islands. Nearly everything they have there is brought from the different shores, in fact the way the city of Honolulu is located there is no foliage, except 15 or 20 cocoanut trees. Now it is a beautiful city of subtropical trees and foliage. In 1793 Vancouver returned from his trip to California and landed a bull, 5 cows, 3 sheep, the first of the kind placed on the islands. Horses were first taken to the islands in 1803 by Capt. Cleveland. Vancouver superintended the building of the first ship in 1794.

The CHAIRMAN. Where was that built?

Mr. SIMPSON. It was built at Lahawa.

The first organized effort for commercial relations with the United States was made when missionaries landed from New England in 1820. The first whaling ship arrived at Honolulu in 1820, to be soon followed by many others, and Hawaii was made a base of supplies. Much time was saved by ships engaged in whaling by taking their oil to Hawaii, transshipping it to New England, making necessary repairs, laying in supplies, and utilizing natives on their whaling voyages. The Hawaiian proved to be the best sailor obtainable. In 1826 it was estimated that 100 whaling ships annually were putting in at Honolulu, and each ship is said to have expended on an average the sum of $20,000 each, or about $2,000,000 a year. Recognizing the value of this growing traffic mer-

chants established trading houses to gather in this important industry. The whaling trade continued to be the chief source of income to the islands for a number of years. In 1845 there were 500 whaling ships arrived there. In 1878 the whaling trade practically died out. Experiments were made in growing commodities, such as silk, cotton, wheat, sugar, coffee, but nothing of particular value was accomplished, except in raising coffee and sugar. The coffee culture increased rapidly and promised well until there came a drought in the years 1851–'52, which it was said caused a blight. That for a time ended the advancement of this industry.

The CHAIRMAN. Coffee, like the other plants you have been speaking of, was not indigenous?

Mr. SIMPSON. No. They have experimented in coffee for a number of years down there, and the trouble has been that the people who have been engaged in experimenting do not understand their business. They would start their trees at too low an altitude. Whenever they got above 2,000 or 2,500 feet they have had the best results. Now they are going into the matter to a greater extent than they have ever done before. They grow a splendid quality of coffee.

Senator GRAY. Have they sufficient area at that altitude and higher to make it an important matter?

Mr. SIMPSON. Yes. Their area to a certain extent is limited, but there is a vast area that it will take a good many years to set out, especially the island of Hawaii, which has 4,500 square miles, and the greater portion of it is above 1,500 feet. The other islands are not, of course, so large.

Senator GRAY. On what island is Honolulu?

Mr. SIMPSON. Oahu.

Senator GRAY. Do you know what the area of that island is?

Mr. SIMPSON. Six hundred square miles.

Senator GRAY. Is that all?

Mr. SIMPSON. It is next to the largest inhabited island in the group. There are five principal islands.

Senator GRAY. The city of Honolulu has the greater portion of the population?

Mr. SIMPSON. Yes. Coffee that they raise there has a splendid flavor, and in time is going to become a very profitable commodity. It is known as the Kona coffee on account of its being raised in a district by the name of Kona, and it has a flavor that resembles a mixture of Mocha and Java. It has never been gone into systematically, but they are going ahead with it now, and they will undoubtedly build up a great business there.

Senator GRAY. Mr. Spalding, who was before us, expressed the opinion that it would not be a success there.

Mr. SIMPSON. That is the opinion of nearly everybody who lives there, but it is not borne out in experiments which have been made by men who understand coffee culture. It is a peculiar industry, and must be given careful attention, and the knowledge of years must be brought to it. The merchants of Honolulu net more money for the coffee that they sell in the San Francisco market grown on the island of Hawaii than for any coffee sold in the San Francisco market, and in spite of the fact that it is not prepared for market in what would be ordinarily termed a marketable condition; it is not separated. The good and the bad are all dumped into the same sack, and while I was there one house in Honolulu had quite a little stock of it, some 1,200 or 1,500 bags, and the proprietor had refused at Honolulu 25

cents a pound for that coffee. Anyone who is posted in green coffees knows that that is a pretty good price placed at shipment.

The CHAIRMAN. Your inquiries into the industries of Hawaii were stimulated by the trade you were trying to establish between those islands and Puget Sound.

Mr. SIMPSON. I took up each article to see whether we could handle it, and also took up articles that promised well. In fact, when I returned to Tacoma I completed a good size coffee company to go into the culture of coffee there, but it was killed by the revolution. The sugar business is completely controlled by the American Sugar Refining Company.

The CHAIRMAN. You mean in San Francisco?

Mr. SIMPSON. No; I mean the sugar trust in the United States. The sugar trust now controls all the sugar refineries in San Francisco. Do you want me to give you some sugar data?

The CHAIRMAN. Not just now; you may proceed with your statement.

Mr. SIMPSON. The first plantation for sugar purposes was established in 1835 by Ladd & Co., Americans, and cane was raised in a small way for a number of years. They got quite a valuable charter from the Hawaiian Government. They claimed at that time it was procured for the purpose of selling the charter. It gave them the selection of a vast quantity of land for a nominal consideration. When gold was discovered in California a new market was opened up, and the trade of the islands had greatly increased up to the year 1893. When the gold fever was on in California they had very few supplies there, and the people of the Sandwich Islands went into the raising of commodities to a greater extent than they had before or since. For instance, they started flour mills and went into the raising of wheat on the islands. I do not believe any is raised now. In the fifties sugar sold up to 20 cents a pound in California, and later the acreage was considerably increased in the hope that a reciprocity treaty would be successfully negotiated with the United States. When the reciprocity treaty was finally signed and ratified in 1875–'76 the raising of sugar cane became the chief product of the island. The first commercial treaty that was ever negotiated with the United States was in 1826; the steam navigation between the islands in the group was first started in 1853; the first steamship line between San Francisco and the islands was established in 1870, a line running through to Australia.

The CHAIRMAN. Where do they get their coal for the operation of that steam intercommunication between the islands? I want to know whether it is imported.

Mr. SIMPSON. It is all imported.

The CHAIRMAN. And from what part of the earth particularly?

Mr. SIMPSON. Altogether you may say with one or two shipments of coal it has come from Newcastle in Australia.

The CHAIRMAN. Sydney?

Mr. SIMPSON. New South Wales. It is from the Newcastle mines of Australia. They call it Newcastle coal. It is a bituminous coal, and it costs them in Honolulu from $6.75 to $7.50, according to the cost of shipping from Australia.

The CHAIRMAN. Is there any wood or other substance in Hawaii that will be of use in steam navigation hereafter?

Mr. SIMPSON. No.

The CHAIRMAN. So that their dependence for fuel for this purpose is upon foreign ports entirely.

Mr. SIMPSON. Yes.

The CHAIRMAN. They ought to make a good market for coal between Honolulu and Seattle?

Mr. SIMPSON. Do not say Seattle. That is the poorest coal on the Pacific coast.

Senator GRAY. Have you good coal in the Northwest?

Mr. SIMPSON. Yes; we have good coal in the mines that have been worked a long while. Now, about the woods; the indigenous woods of the Hawaiian Islands number 150 kinds. The insects have done considerable damage to them; the most common is the borer, a species of bug. I may say right there, on account of the limited amount of wood on the islands the question of rain has become quite a serious matter. When hogs and cattle became so plentiful they were turned loose, and they rooted up the trees and roamed wild, and the greatest sport they get down there is hunting wild cattle. They have destroyed all the trees below 2,000 feet, and they passed laws while I was there prohibiting them cutting trees except for firewood.

The CHAIRMAN. When you say the cattle destroyed the trees you mean they ate the foliage and under plants?

Mr. SIMPSON. Yes. Of indigenous woods the most common are the Oahea.

The CHAIRMAN. I do not care to go into that wood subject. My question was about getting fuel for steam navigation in the islands.

Mr. SIMPSON. On Oahu is the best, at $13 per cord in 4-foot lengths. And right there I would state that I sold, strange as it may seem, quite a quantity of firewood. I have an order from one firm in Honolulu to fill up whatever space we had with firewood from Puget Sound.

The CHAIRMAN. You sold that to be delivered, but you never got a chance to deliver it?

Mr. SIMPSON. No.

The CHAIRMAN. Where did you get the data that you now hand me in relation to the commerce between the United States and Hawaii?

Mr. SIMPSON. From the annual reports of the collector-general of customs of the Hawaiian Islands, and from reports emanating from the Treasury Department of the United States. One verified the other.

The CHAIRMAN. Are you satisfied that the figures that are based upon that data are correct?

Mr. SIMPSON. I am. The figures are as follows: The total export and import trade of Hawaiian Islands from first year of official data recorded, 1855, to December 31, 1892, amounts to $265,136,486, the imports being $98,981,325 and exports $166,155,251. This is with all countries. The first year in which there is a complete record of the business done between the United States and Hawaiian Islands was the year 1870. The total amount of merchandise and bullion exported to and imported from Hawaiian Islands from 1870 to 1892, inclusive, is valued at $203,145,447, divided as follows:

	Exported to Hawaiian Islands.	Imported from Hawaiian Islands.	Total.
Merchandise	$55,183,611	$138,670,737	$193,854,348
Bullion	8,108,508	1,182,591	9,291,099
Total	63,292,119	139,853,328	203,145,447

The above table gives some idea of the profit which has accrued to the American traders from the Hawaiian Islands traffic. The United States secured from the Hawaiian Islands during a period of twenty-two years—

Merchandise and bullion to the value of	$139,853,328
For which they returned merchandise and bullion to the value of	63,292,119
Showing a balance of trade in favor of the United States of	76,561,209

The reciprocity treaty went into effect in September, 1876. The net total excess of imports over exports of both merchandise and bullion up to 1877 was $3,139,997. By deducting this amount from the net balance of trade from 1870 to 1892 the amount derived, $73,421,212, represents the balance of trade in favor of American traders under the operation of the reciprocity treaty.

The foregoing figures show the difference in the volume of trade and the value of trade prior to and during the time of the operation of the treaty of reciprocity of 1876.

The CHAIRMAN. Does your table show whether there is any material falling off in the trade in consequence of the repeal of the tax on sugar?

Mr. SIMPSON. The figures do not show that conclusively, for this reason, that the season following the adoption of the McKinley bill the gross tonnage was increased very much, but the price was reduced for that reason. The actual figures show the production of sugar was much greater than it had been prior. Some new sugar plantations came into bearing that were not producing before.

The CHAIRMAN. Have the business enterprises with which you have been associated made any examination into steaming coals in what you call the northwestern Pacific, that is, along the line of the United States and the British Possessions on the Pacific Ocean?

Mr. SIMPSON. I have in a general way. Of some particular kinds of coal I made a specific examination for the purpose of using them on our line of steamship.

The CHAIRMAN. Where was your line designed to run; from the United States to where?

Mr. SIMPSON. To points on Puget Sound; that is to say, Victoria, Seattle, and Tacoma.

The CHAIRMAN. Where did you expect to get your supply of fuel?

Mr. SIMPSON. It depended very largely on where we got the greatest amount of our freight. If we could get a sufficient quantity of freight to warrant us in going into Victoria to stop there, we would have to get coal from the Comax mines in California. If it were not advisable to go in there we proposed to get a quantity of coal in Roslyn, in Washington, which is mined exclusively by the Northern Pacific. It is equal to any coal in the State of Washington; but the Vancouver coal is a little cheaper, from the fact that the Northern Pacific Railroad Company put an arbitrary rate on carrying coal to the seaboard, because they had to haul over the mountains.

The CHAIRMAN. What is the length of the haul to the sound?

Mr. SIMPSON. About 75 miles.

The CHAIRMAN. Is there no coal available on Puget Sound?

Mr. SIMPSON. That is the Roslyn coal.

The CHAIRMAN. Is there no coal on Puget Sound but that which is brought 70 or 75 miles by rail?

Mr. SIMPSON. Within 7 or 8 miles of the sound.

The CHAIRMAN. Is that good coal?

Mr. SIMPSON. It is fairly good coal, but not so good as Roslyn coal.

The CHAIRMAN. Have they many open mines in the State of Washington?

Mr. SIMPSON. Quite a number; I should say in the neighborhood of 40 or 50. But there are not many of them that are worked. The fact is, the coal deposits are so great that it does not pay to work them, except they have a guaranteed channel for their trade. Nearly all the coal mines are owned or controlled by large corporations, such as the Southern Pacific Railroad Company, the Union Pacific Railroad Company, the Northern Pacific Railroad Company, the Great Northern, and the Pacific Coast Steamship Company. They are large users of coal, and nearly all of them have gone into the coal business, because they wish to make the profit.

The CHAIRMAN. As the mines are worked deeper does the quality of the coal improve?

Mr. SIMPSON. That is the general belief. Of course, where coal deposits run, as you might say, along the surface, they do not increase; they are rarely worked; they do not bother with them.

The CHAIRMAN. What was to be the tonnage of the ships that you were to send out on this line?

Mr. SIMPSON. About 3,000 gross.

The CHAIRMAN. How much of that would be occupied in carrying fuel to and from Honolulu?

Mr. SIMPSON. Do you mean for the use of the ship?

The CHAIRMAN. Yes.

Mr. SIMPSON. We figured that we would put in 1,000 tons of coal.

The CHAIRMAN. That would leave how much room for freight—about 1,000 to 1,200 tons?

Mr. SIMPSON. Yes.

The CHAIRMAN. About one-half your cargo would consist of fuel for the ship?

Mr. SIMPSON. The size of ship we proposed to operate.

The CHAIRMAN. That would be still greater on a smaller ship?

Mr. SIMPSON. The proportion would be still greater.

The CHAIRMAN. So that, in making a voyage in a steamship from Puget Sound to Honolulu and return, you would make the calculation that one-half your space in going out to Honolulu and one-fourth of it returning would be occupied by fuel?

Mr. SIMPSON. In a general way; yes.

The CHAIRMAN. How would the cost of coal, if you had to purchase it in Honolulu, compare with what you would have to give for it, say, in Victoria?

Mr. SIMPSON. A good steam coal sold by the dealers in Honolulu would cost us $14 to $21 a ton, according to the man's ability to make a trade with those fellows. But that is a contingency we would not meet?

The CHAIRMAN. What did it cost in Victoria?

Mr. SIMPSON. The best coal that we could put on at Victoria would cost us $3.50 a ton.

The CHAIRMAN. In both cases do you mean on board ship?

Mr. SIMPSON. Alongside the ship, on a lighter. The Roslyn coal would cost us a trifle more than that; and there is another still nearer the coast, known as the South Prairie coal, which carries a high proportion of steam properties. But it is a small mine, and we could not probably get very much of it. If we could get any we would put that coal on board the ship from coal bunkers at about $3 a ton. Do you want the coal proposition of the Pacific Ocean?

The CHAIRMAN. I want to know what acquaintance you have with steam communication between the eastern and western shores of the Pacific Ocean. I want to know generally what your acquaintance with the subject is.

Mr. SIMPSON. The way it is operated now is by two lines of ships from San Francisco to China and Japan, making Yokohama the port of entry, making one line from San Francisco to Australia, stopping at Honolulu, Samoa, Apia, New Zealand, and Sidney; and a line of ships to Vancouver, British Columbia, to China and Japan, operated by the Canadian Steamship Company, and also under subsidy from the English Government and Canadian Government—heavy subsidies, too—and a line of steamships from Tacoma to Yokohama and Hongkong.

The CHAIRMAN. Have you ever had any business connection with any of the trans-Pacific lines?

Mr. SIMPSON. I have imported a few goods, but nothing of any importance. I have never been employed by any of them.

The CHAIRMAN. As a rule, what is the tonnage of ships that cross the Pacific Ocean?

Mr. SIMPSON. Ships running from San Francisco to Yokahoma, on the Oriental and Occidental line, average from 4,000 to 5,000 gross tonnage. On the Pacific Mail, operating between the same points, they run from 3,000 to 5,000. On the Spreckles line, between San Francisco and Australia, they run about 5,000 tons, and they have one ship that runs only between San Francisco and Honolulu, 3,500 tons. One of the ships of the Canadian Pacific Railroad Company, operating between Vancouver, China, and Japan, the *Empress of India*, is about 14,000 gross tons, and the ships running between Vancouver and Australia on the Canadian Pacific line are about 5,000 gross tons, and those between Tacoma and China and Japan are from 3,000 tons to 5,500 tons.

The CHAIRMAN. Would all these ships on leaving the American coast take coal for the entire voyage across the Pacific Ocean?

Mr. SIMPSON. That is according to circumstances. Possibly I can give you full information in reference to that subject. The ships running from San Francisco to Yokahoma, as a rule, only carry enough coal to take them to China and Japan, except the coal market in Yokahoma for Hongkong is such as to to warrant them in carrying coal from San Francisco, provided they have plenty of space to carry it. They usually take from San Francisco a coal supply for twenty days. The ship going from San Francisco to Yokahoma takes about sixteen days out and about fourteen days to return, and they consume in round numbers from 40 to 50 tons of coal per day. That coal costs them in San Francisco from $6.50 to $7.50 per ton, and they purchase whichever coal is most advantageous to them in price and qualtity. Coal is taken to Australia from San Francisco, from England, and from the Pacific northwest coast. The prices are of various kinds, averaging about the same; that is, for some coals. Of course, cannel coal for stove or grate purposes from the English mines runs higher. The manner in which that coal is taken from San Francisco is by the operation of established lines of colliers between San Francisco and the mines of the Pacific northwest by ships going from England to San Francisco or points on the Pacific coast, bringing coal in ballast, and by ships carrying lumber from the Pacific northwest to Australia and securing a return cargo of coal.

The CHAIRMAN. Is that a large trade?

Mr. SIMPSON. Quite a large trade. It is very rarely that a ship finds

it necessary, a steamship engaged in the transportation business, to stop at any way port for coal. It is very seldom that they do that now.

The CHAIRMAN. Does the course of a vessel from San Francisco to Yokohama take in Honolulu?

Mr. SIMPSON. No; Honolulu does not lie in the direct course between San Francisco and Yokohama.

The CHAIRMAN. How far away is it?

Mr. SIMPSON. The Geodetic Survey people make it 952 miles.

The CHAIRMAN. How long would it take a steamer to make that distance, running at the ordinary rates at which they run in crossing the Pacific Ocean?

Mr. SIMPSON. The ships now in that traffic, when they go into Honolulu, lose an average of about three to three and a half days. Now, there is a point that comes up right there.

The CHAIRMAN. You are speaking now of Yokohama and San Francisco?

Mr. SIMPSON. Yes.

The CHAIRMAN. Suppose it were between Hongkong and San Francisco?

Mr. SIMPSON. Those lines do not go to Hongkong.

The CHAIRMAN. I mean, suppose there were a line between San Francisco and Hongkong, would not that go by Honolulu?

Mr. SIMPSON. I am not sufficiently posted to say.

The CHAIRMAN. A steamship line from San Francisco to Australia, would go by the Sandwich Islands?

Mr. SIMPSON. It is in direct line.

The CHAIRMAN. So that a steamer going from Yokohama to San Francisco would have to leave its course about three days, if it had to go into Honolulu for refreshment, fuel, or anything else? That would be about the length of time?

Mr. SIMPSON. Yes. But it does not seem to me to be very much of a loss. The Pacific Mail Steamship Company and the Occidental and Oriental Steamship Company, operating between San Francisco and Yokohama, are operating on an agreement between them whereby the ship of one line stops in at Honolulu one month and one of the other line the next month. They have a schedule of a year at a time, and by stopping in at Honolulu they do not make any more trips. Consequently the pay roll goes on the same. In reference to the pay rolls there is less difference between the money spent for labor on board those ships running to China and Japan than there is on the ships running from the American coast to the other points in the Pacific Ocean, for the reason that they employ Chinese and Japanese laborers, and get them very much cheaper. The cost of labor is only 5 per cent less than it is upon ships operating in the Atlantic Ocean and employing English labor; so that, for that reason, they only lose what coal is actually necessary for them to buy in making the trip.

The CHAIRMAN. The point of my inquiry was in reference to the advantage of the Hawaiian Islands—of course, Honolulu in particular—as a resting place, place of refreshment, place of repairs in case of any disaster to ships crossing from any portion of the United States to any of the large cities of Asia they might choose to enter. That was the point of my question—what you have to say on that subject. If you have anything to add you may proceed to state it.

Mr. SIMPSON. There can be no question about the advantage of the Hawaiian Islands in the case either of disaster to ships or the use of the islands as a coaling station for the Navy of this country. In a

commercial way the loss of the principal lines in running from the United States to the Orient is practically confined to the extra coal that they may consume in making the trip, which, on the line now in operation between San Francisco and Yokohama, would be in the neighborhood of $600 or $900. Of course, the lines running from points between Vancouver and Yokohama are of no benefit; but the running between Vancouver and Australia, or San Francisco and lines Australia, or Nicaragua and the Orient, are of inestimable value.

The CHAIRMAN. If the Hawaiian group of islands were in charge of some great and powerful maritime government, in your opinion would it become a central distributing point of the commerce of the Pacific Ocean in almost every direction—a point of interchange and distribution? Of course, the idea which is couched in my question means that under such conditions would it be likely that Honolulu or the Hawaiian Islands might become a great commercial center?

Mr. SIMPSON. From a commercial sense, strictly speaking, the Hawaiian Islands can hardly be a commercial distributing point except for the goods used within their own country. But in so far as the protection of commercial shipping is concerned, the islands are certainly of great importance. That is to say, the Hawaiian Kingdom possessed by any maritime power would give to the ships of that nation a particular advantage in times of peril.

The CHAIRMAN. What is the objection to productions of India and China and Japan meeting the productions of Mexico and the United States and British America for exchange at Honolulu?

Mr. SIMPSON. That is a condition that more likely would have existed prior to 1850 than it is likely to exist there now, from the fact that in those days a line of clipper ships was in use, which made it advantageous for an interchange of commodities on through business. But now, with the railroad and steamship traffic, I can not see where it is going to be of any benefit to the commerce of the world, in a strictly commercial sense, in so far as making it a trading post is concerned.

The CHAIRMAN. You, therefore, assume that steam power is to supplant the sailing ship entirely?

Mr. SIMPSON. Certainly. In the days of sailing ships it was common to use that point as a base of supplies where ships were engaged in various kinds of traffic, as, witness the whaling trade. It was better to employ ships to transport the products which the whaling ships procured than it was to send those ships all the way around the Horn; it saved them considerable time for getting oil from the whale.

The CHAIRMAN. But transportation on sailing ships is cheaper than on steamers?

Mr. SIMPSON. That is true, of course, if limited to steady markets. But as that country stands there is no product that passes by that island, no two products, one growing in the Orient and one in the South American Continent, that are interchangeable as a common thing. The usual route of vessels engaged in that trade is, they start from England, go to Australia with commodities, and pick up a cargo there if possible. From there they go to some point on the Pacific coast, load a cargo, and return to the United Kingdom.

The CHAIRMAN. Perhaps I can illustrate my question to you better by supposing a case. Suppose you have your choice between sending a cargo of pig iron, hardware of the coarser kinds, heavier kinds, or steel bars for railways, or other material of that sort, on board a sailing ship or steamer?

Mr. SIMPSON. You mean commodities?

The CHAIRMAN. Commodities, yes; which do not require too rapid transportation, but one that is cheap and safe, would you not prefer to ship your commodities on a sailing ship if you could save freight by doing so?

Mr. SIMPSON. Do you mean, if they were going to the Orient, to take them to Honolulu and then ship them to the Orient?

The CHAIRMAN. Or as a place of refreshment for ships?

Mr. SIMPSON. In that case it undoubtedly would be of great advantage.

The CHAIRMAN. I do not agree with your assumption that steam transportation or steam navigation is going to supplant the sail. I think it will be found, after a while, that the supply of coal is so limited, or the price will be so great, that for the heavier commodities it will not be used for transportation and sailing ships will come in vogue and be an important part of the commerce of the world.

Mr. SIMPSON. One reason why I take that ground is, when I was in Honolulu I saw a bill of lading issued by the Southern Pacific Railroad Company of goods shipped from London and routed across the Atlantic and the United States by the Southern Pacific Railroad Company, and from San Francisco to Honolulu by steam navigation. Arbitrary rates exist across the American Continent and between San Francisco and Honolulu. The rate fluctuates on the Atlantic according to the displacement of cargo offered, and that transportation was 31 shillings and 6 pence. The same articles taken from New York City to Honolulu overland would cost us in American money $5.30. The same articles taken in a sailing vessel from London to Honolulu, occupying some eight months in time, (and it would be a good trip to make it in eight months), would cost $4.85, according to the then existing rate. Now, the persons shipping those goods preferred steam across the Atlantic and the American Continent, over a sailing vessel, from the fact that the money invested in the cargo in transit would be greater than the cheap rate on the return cargo from Honolulu, except the ship struck there in the sugar season, when they could get a return cargo to the Pacific coast. There would have to be that difference arranged for.

The CHAIRMAN. As a general proposition, I suppose, it is not to be disputed that over a long distance the transportation of heavy articles of commerce would be cheaper by sail than by steam?

Mr. SIMPSON. That was the generally accepted idea, except where you get cheap fuel. The resources of the Pacific Ocean for fuel are greater than on the Atlantic. They have three distinct bases of supply where there is an enormous amount of coal. I speak of the Japanese coal fields, the Australian coal fields, and the coal fields of the Northwestern Pacific coast. The Japanese coal fields and the Northwest Pacific Coast fields are almost inexhaustible. An enormous amount of coal can be produced there. The methods of handling in the Northwest Pacific coast are very crude in comparison with the manner the business is handled in well-settled and well-worked coal fields. It is so much in its infancy that it has hardly gone beyond its experimental stage.

The CHAIRMAN. As yet the real value of the coal out there is not known, and can not be known, until they go further down into the seam or vein?

Mr. SIMPSON. No. Known coal fields are so numerous and known deposits are so numerous at this time that it would be a waste of money to expend it in finding new fields.

The CHAIRMAN. You mean in our own country?

Mr. SIMPSON. In the State of Washington, I know that to be true.

The CHAIRMAN. Give a general statement of the commercial relations between Hawaii and the United States.

Mr. SIMPSON. The Hawaiian Islands are to the Pacific Coast and to the country west of the Mississippi River what the West Indies are to the Atlantic and the country east of the Mississippi River. They raise and can raise the same products. They are at present nearly identical in formation, in methods, and manner of doing business, and of articles actually handled. There is, to my mind, no alternative for the United States except to provide conditions and manner of doing business with the Sandwich Islands, from the fact that the country west of the Missouri River is practically dependent upon those islands for the commodities which are raised in the islands, to procure them at anywhere near the price at which the same commodities are sold east of the Mississippi River. In the West Indies sugar, rice, and the fruit culture is in its infancy, but it will be augmented very fast. The principle article, sugar, is dependent upon the Pacific coast market, so called, and the Pacific coast is compelled to reciprocate. For this reason sugar raised in Cuba and refined in the Eastern part of the United States is compelled to pay too great a transportation fee to reach the markets of the Pacific coast. Were there no sugar raised in the Hawaiian Islands the sugar would be received from China and Japan rather than from Cuba, on account of this transportation. The sugar business is controlled by the American Sugar Trust, of which Spreckels and his interest are a part. During the winter of 1892–'93 contracts were made by the American Sugar Trust, through Spreckels as agent, for their product of sugar for five years. The stipulations of that contract are these:

The trust agrees to pay to the grower for sugar laid in San Francisco the same price that Cuban sugar brings in New York City, less a quarter of a cent per pound. This quarter of a cent per pound difference is for the purpose, as claimed by the sugar trust people, to compensate them for the difference in freight that they would have to pay if they had to take Cuban sugar to the Pacific coast. It is simply a subterfuge for the purpose of obtaining the advantage of a quarter of a cent per pound. That contract also states that all sugar running in grade of 96 per cent saccharine shall pay a thirty-second of 1 cent per pound for each degree over 96 per cent saccharine, and a sixth of 1 per cent on each degree under 96 per cent saccharine. All the planters in the islands engaged in the sugar business have signed this contract from the fact that there is no other outlet. When I was in Honolulu in the winter of 1892 the growing price of sugar was about $90 per ton. The cause of that was that the previous crop of Cuban sugar had been practically a failure, and they were enabled to get a much better price than they are getting at present. The last quotations which I received from Honolulu they were paying for Hawaiian sugar laid in San Francisco $2\frac{7}{8}$, almost the lowest price it has ever reached, and which price does not pay even a small interest on the investment.

The rice business of the islands is carried on principally by the Chinese and Japanese. The rice they raise grades with what is known commercially as No. 1, or as good as any rice in the South Sea Islands or off South Carolina.

The CHAIRMAN. How is it raised?

Mr. SIMPSON. By irrigation; different from what it is in the fields in the South.

The CHAIRMAN. You mean irrigation brought on the land by ditches?

Mr. SIMPSON. No; but they allow the water to stand until the crop ripens, then they draw it off. If they can not, the men go on and do it in rubber boots. Most of that rice is milled by one concern at Honolulu, and very little of it is shipped to the United States in the condition of what is known as paddy. It enters successfully in competition with Japanese and other Oriental rice on the Pacific coast, and very rarely does any rice from the Atlantic seaboard, South Carolina, or Louisiana reach the Pacific coast. I do not know of but one season where any was shipped there, and that was three years ago when there was an enormous crop in the South and they could not find a market.

The next interest of importance in the Hawaiian Islands is the banana business. In the Hawaiian Islands they are raised usually in very small patches by Chinese. They are handled through a middleman, and the cost on board ship at Honolulu is about 100 per cent more for bananas than it is in any of the West India countries. In 1892 there were $175,000 worth of bananas shipped from the Hawaiian Islands. Ten years before there were none. With the decline of the sugar products in the Hawaiian Islands the people have no alternative except to turn their attention to raising of coffee and fruits. It will require some years to bring coffee to a distinctively commercial point, as that requires a system of individuality which fruit does not need. However, experiments are now being made and organized plantations are going into the matter in a scientific way. The fruit culture in the islands will unquestionably take lead in the new departure for other goods to raise beside sugar and rice. That is from the fact that there is no other commodity they can raise and which will have so great and popular a market, particularly, as bananas.

To illustrate that, in 1882 there were 35,000 bunches of bananas landed at New York City. In 1891 there was an average of 35,000 bunches per day arrived in New York City. To-day the banana in the New England States is the poor man's food. Down to eight years ago the banana was unknown except as a curiosity, and now they buy them by the carload. I am told that they affect the trade in flour, bacon, and other common foods of the people. One pound of bananas has as much nourishment in it as 4 pounds of bread. There is a great market west of the Missouri River, which is practically virgin, and the cost of raising bananas in the Hawaiian Islands will be undoubtedly decreased with the scientific growing of them, and the conditions are such that they can be transported to points east of the Pacific slope and west of the Missouri River as cheap as they can be brought from west of the Atlantic and east of the Mississippi. At present a bunch of bananas from Honolulu, sold in the markets of the Pacific Slope outside of San Francisco, will bring from $3 to $4.50.

The CHAIRMAN. Are not bananas raised abundantly and profitably in southern California?

Mr. SIMPSON. No; no more than they can be raised profitably in the southern part of Florida. I have seen them raised in Florida, but their growth was stunted. While they are in the same latitude that the Hawaiian Islands are the conditions seem to be different. The pineapple is another food which is being raised systematically, more so probably than bananas. They can raise and mature pineapples every month in the year. That is also true of bananas. It is different in the Hawaiian Islands from what is in any other portion of the world. This would insure a high price in the markets of the Pacific coast. In two months of the year, in August and September, the pine-

apples are an overproduction, and until a treaty is effected with the United States on a much broader plan than the one now in effect, the raising of these fruits, and especially pineapples, will not be so great a success. The present treaty with the United States admits comparatively a few of the Hawaiian articles into the United States and all of the articles produced and manufactured in the United States into Hawaii, with the possible exception of spirits and tobaccos.

Until a treaty is effected whereby manufactures of all descriptions and canned goods are placed on the free list from that country no marked improvement can be made. The general impression in the Hawaiian Islands when I was there was that when the treaty runs out in 1894, when canned goods in the Hawaiian Islands would certainly go on the free list, the effect would be to accelerate the trade to a greater extent than any other method that could be adopted. Strange as it may seem, the Hawaiian Islands are entirely dependent upon the Pacific coast for their supplies of every kind and description.

The CHAIRMAN. What do you mean by supplies? They do not depend upon the Pacific coast for taro?

Mr. SIMPSON. Of every class and description. That is to say, the chief subsistence are the articles which are procured from the Pacific coast. Of course, the most indigenous article of food the natives live on is what is commonly called *poi*, a pasty stuff that is made from taro and raw fish. But in spite of that fact, of the 92,000 people in all the islands, they are known as the greatest consumers per capita of any people in the world.

The CHAIRMAN. Do you mean of provisions?

Mr. SIMPSON. Of everything. There is more stuff bought and taken in there than in any other place in the world. To illustrate a little more fully, I will cite some of the articles which I sold while I was there. Brick, lime, apples, potatoes, butter, eggs, fire wood, beer, banana crates, flour, whole barley, rolled barley, chopped feed, cracked corn, bran, shorts, feed wheat, oats, timothy hay, wheat hay, alfalfa, carrots, mules, coal (steam and stove), plaster, shingles, salmon (canned and salted), coarse sand, wire nails, onions, sash, doors, and blinds, crackers, provisions, hardware, etc.

The CHAIRMAN. With what do they pay for all this?

Mr. SIMPSON. The manner of doing business in the Hawaiian Islands is, these principal houses pay cash for what they get; that is to say, nearly all of them carry their profits to San Francisco. One of the large houses showed me its books, disclosing that he had not, since he had been in business, had less than $34,000 of cash on deposit in San Francisco. Goods are paid for in cash in San Francisco when they go on board the ship and discounted.

The CHAIRMAN. Is the money actually shipped to San Francisco, or is there exchange?

Mr. SIMPSON. No; it is carried there.

The CHAIRMAN. How do they get hold of this money?

Mr. SIMPSON. The money that they get from the sale of sugar is deposited to the credit of these concerns in San Francisco, and they pay their bills in that manner.

The CHAIRMAN. Is there enough commerce in the Hawaiian Islands to enable them to become the largest consumers per capita in the world?

Mr. SIMPSON. Yes. The figures that I have heretofore submitted to you prove that assertion, showing that since the year 1870 there has

been a profit to the traders in that business of about $76,000,000 in round figures.

The CHAIRMAN. If I comprehend your statement correctly the whole population of Hawaii is dependent for subsistence in every way upon the sugar crop?

Mr. SIMPSON. The sugar crop and the rice crop; they are the two principal crops.

The CHAIRMAN. Do they not raise cattle, hogs, and poultry?

Mr. SIMPSON. No; they are the most improvident people I have ever met with. I have never lived in the South, but in the West Indies and in the several countries where they have cheap labor they have utterly no idea of the value of money. I was standing on the corner talking to a contractor when a native laborer came up and asked for a position. The contractor and I were talking of the improvident character of the native Kanaka. The contractor asked him how much he wished for his work and the fellow said $50 a month. The contractor said, "Jack, I can not pay you that; I will give you $2 a week," and the Kanaka at once said, "When shall I go to work?" That is true, they have no idea or conception of the value of money.

The CHAIRMAN. You are now speaking of the very low classes?

Mr. SIMPSON. Of the natives.

The CHAIRMAN. They are not all that way; some of the natives are respectable people, having sense and character.

Mr. SIMPSON. I do not remember having met more than one or two full-blooded natives who were men of means. I do not wish to question their character, because they are the most honest people that I ever met. Of the so-called 35,000 natives in all the islands, as a matter of fact there are only about 6,000 who are full-blooded natives, the balance having a strain of various kinds of blood. Liliuokalani has a strain of negro blood, and is not a descendant of the ancient chiefs of the islands, as is generally supposed.

The CHAIRMAN. You think the mixing of the blood has improved the people?

Mr. SIMPSON. Yes. There are other articles which can be raised and manufactured with profit in the islands. For instance, common salt can be gathered at a very low price, and if the trade were entered into it could be sold at a very good profit.

The CHAIRMAN. There are none of the leading minerals—iron, copper, and lead?

Mr. SIMPSON. No; the soil is all disintegrated lava, and everything nearly requires irrigation.

Adjourned to meet on notice.

WASHINGTON, D. C., *Wednesday, February 7, 1894.*

The subcommittee met pursuant to notice.

Present: The chairman (Senator Morgan) and Senators Butler, Sherman, Frye, and Senator Dolph of the full committee.

Absent: Senator Gray.

SWORN STATEMENT OF COMMANDER NICOLL LUDLOW.

The CHAIRMAN. At what time have you visited the Hawaiian Islands?

Mr. LUDLOW. I have only been there once. I was commander of the *Mohican.* I arrived there on the 10th of February last and left there on the 1st of May.

The CHAIRMAN. What American ship did you find in port?

Mr. LUDLOW. I found the *Boston* there. Subsequently the *Alliance* came in and reported. The *Adams* was sent down to take the place of the *Mohican,* and on her arrival I went north. The *Mohican* was Admiral Skerrett's flagship; I was his chief of staff during the time I remained there.

The CHAIRMAN. On your arrival at Honolulu, what did you find to be the condition of the community there as to quietude and regularity in the conduct of business?

Mr. LUDLOW. I had never been there before, and I am not able to make any correct comparison of the affairs then with what they had been. But the people complained of hard times, as they began to do everywhere. Of course, business went on just the same; they did a good deal of talking; apparently they had not much else to do; stand around and talk on the streets and on the piazzas.

The CHAIRMAN. Were you around in the city much during the time you were there?

Mr. LUDLOW. Yes; I was ashore every day. I was brought in contact with everybody in town of every position. As the admiral's chief of staff, I returned a great many calls with him, and made a great many social calls.

The CHAIRMAN. Were you at that time aware of the existence of any organization for the purpose of overturning the Provisional Government?

Mr. LUDLOW. None whatever, any more than, of course, the adherents of the Queen on one side and of the Provisional Government on the other; there was some talk. There was no conspiracy or fighting, simply talk. I have been around in different parts of the world, and I thought that Honolulu was as quiet a community as you could find; everybody's doors and windows were unlocked. It was so night and day; as quiet a community as exists on the face of the earth.

The CHAIRMAN. Would you describe it as a community satisfied with the existing government?

Mr. LUDLOW. The Provisional Government?

The CHAIRMAN. Yes.

Mr. LUDLOW. A great many were dissatisfied with it; thought that it ought not to be there; thought that it was not the legitimate government of the islands.

The CHAIRMAN. Were they satisfied with the administration of the affairs of the Government?

Mr. LUDLOW. Oh, yes; I heard nothing said about their honesty and proper administration of the affairs of the Government; never heard

any question raised as to what disposition was made of the money and so on. The men who were in the Provisional Government were recognized as as good men as were in the islands.

The CHAIRMAN. Was there an established police force in the islands?

Mr. LUDLOW. Yes; rather an inefficient police force; never had a call for one while I was there. There were some scraps down in the lower part of the town among the sailors; but I never knew of a blow being struck except by two lawyers, who got into some dispute over some politics, when one struck the other over the face. That thing is all exaggerated about people being in a tremble. Ladies are traveling around in their carriages; and there is more exaggeration about fear there than any place I ever saw.

The CHAIRMAN. You saw no evidence at all of intense public anxiety?

Mr. LUDLOW. No.

The CHAIRMAN. Did you have an opportunity to form an opinion of Mr. Dole and his cabinet in respect to their ability as men to conduct public affairs, and the manner in which they demeaned themselves in their positions?

Mr. LUDLOW. I have met them all, and consider them all first-rate men—dignified, quiet, and little talk among them. They were inclined all the time to keep these people from talking. A few days after Mr. Blount arrived, and got the American flag down from off the Government building, he asked me what I thought of the state of public opinion; whether it was any quieter after the flag came down than before. I told him there was a change. I told him that it seemed to put the responsibility where it belonged, and the people seemed to go on about their business; there was not so much talk about it as there had been; they simply accepted the thing, while formerly, while our flag was flying, it made us responsible for everything that took place. We were responsible, in a measure. I was very much surprised to see that flag up there.

The CHAIRMAN. Did the Provisional Government make any habitual display of soldiery?

Mr. LUDLOW. Oh, no. They were recruiting. I do not think at any time up to the time I left there they had to exceed a hundred men. And there was nobody who could drill them or get them in shape. They had to send to Cleveland, Ohio, to get uniforms.

The CHAIRMAN. Were they kept in barracks?

Mr. LUDLOW. Yes; they had two barracks, one was the Government building, that the Provisional Government occupied, south of it; then there was another old barracks, the artillery barracks, north of the Queen's palace. There may have been other posts. They had a review ground just opposite the Government building. I have seen them drill there.

The CHAIRMAN. What is your opinion of the advantage that the Hawaiian group of islands would be to the United States as a military base in time of war?

Mr. LUDLOW. As a military base for a country like this it is too far away—2,000 and odd miles. If it were Great Britain, it would be another thing. But with a country like this, with our ideas of a standing army and a navy, an outpost 2,000 miles away would not be the thing.

The CHAIRMAN. Would that be the case with respect to Bermuda, if we owned that?

Mr. LUDLOW. Bermuda is nearer, a day and a half sail of the port of New York; two days' sail, certainly.

The CHAIRMAN. If you were stationed with a fleet at Honolulu, and the American coast were to be assailed by any great European power with steamships—and they would have to use that class of vessels to make anything like an effective assault—would you not consider that you had an advantage over an advancing or attacking power by having that position?

Mr. LUDLOW. No. The Pacific is a very large ocean. You can not keep the track of your enemy on the ocean as you can on land; they could pass you, get in behind you, and you would never know it in the world.

The CHAIRMAN. In a naval engagement between the United States and any maritime power, say Great Britain, would it not be their first attempt to take those islands?

Mr. LUDLOW. I think there is a treaty between France and Great Britain by which they will never acquire a foot of Hawaiian territory.

The CHAIRMAN. That is for civil administration. But in the event of war that would scarcely avail much in a country that wanted to go and establish itself in a military position?

Mr. LUDLOW. Great Britain has a better place than that on our frontier.

The CHAIRMAN. Where is that?

Mr. LUDLOW. Victoria. They have everything they want there.

The CHAIRMAN. Victoria, if I understand the geography, is open to a land attack by the United States.

Mr. LUDLOW. Yes, but you have to embark your troops; it is an island.

The CHAIRMAN. Hardly.

Mr. LUDLOW. Vançouvers Island.

The CHAIRMAN. You can get plenty of crossings so as to reach Vancouvers Island.

Mr. LUDLOW. They keep a pretty good squadron there all the time.

The CHAIRMAN. You seem to think, though, in the event of a war with the United States, Great Britain would find it to her advantage, if she saw proper to do so, felt authorized to do so, to seize upon those islands for the purpose of establishing there a base of supplies to recruit her ships, and furnish them with coal and provisions and whatever she needed.

Mr. LUDLOW. Undoubtedly they would if they thought it was to their advantage. I never knew Great Britain to hesitate with a question of that kind.

The CHAIRMAN. Did you examine Pearl Harbor while you were out there?

Mr. LUDLOW. No; nothing more than the surveys. I kept pretty close to the ship. I did not know what would turn up, and if I was to put more men on shore I wanted to be there.

The CHAIRMAN. What would be your opinion, with the use of modern guns of high power, as to the ability of any power to control Honolulu by erecting fortifications upon the high lands around the bay and back of the bay to protect that harbor against the invasion of a fleet coming from the open ocean?

Mr. LUDLOW. A fleet could shell the place to pieces. You could send a fleet there and could certainly destroy the place.

The CHAIRMAN. Could guns be placed around the heights surrounding the bay of Honolulu in such positions as to prevent a fleet coming near enough to Honolulu to shell it and destroy it?

Mr. LUDLOW. No. Are you familiar with the harbor?

The CHAIRMAN. I could not say that I am familiar.

Mr. LUDLOW. There is a reef that runs around the island, and wherever there is a stream of fresh water coming down from the hill it cuts a channel—the coral will not grow, and that has left that little pocket in there. It is very small.

The CHAIRMAN. How many ships of war could harbor there?

Mr. LUDLOW. There is not room enough for a ship to swing at anchor.

The CHAIRMAN. How far from the line of the bay are the elevations that surround Honolulu?

Mr. LUDLOW. The first one is the hill called the Punch Bowl, an extinct volcano, that lies behind the town a mile and a quarter or a mile and a half from the water. It runs down to a flat plain on the edge of the water with this coral reef.

The CHAIRMAN. Could not guns be placed on the hills in such position and with such range as would enable those maintaining them there to keep a fleet off?

Mr. LUDLOW. If the fleet fired to destroy the town, they would not pay much attention to the batteries up there. And it would not be a difficult matter to hit the town.

The CHAIRMAN. I suppose, therefore, you think that men-of-war that might be in the bay for repairs and for provisions or coal would not be made secure by fortifications around the harbor?

Mr. LUDLOW. No; not for Honolulu. It would be a very great expense building forts outside. I do not think it could be done; it would not be practicable.

The CHAIRMAN. How would it be in Pearl Harbor?

Mr. LUDLOW. There you have different conditions. The harbor is very deep inside and it runs a good ways back. I think it must run 5 or 6 miles back in toward the center of the island.

The CHAIRMAN. It also has tongues of land running out into it?

Mr. LUDLOW. Yes—side bays. But most of it is quite deep, and that, with the range of modern artillery on board ship, make it pretty warm for anybody inside there.

The CHAIRMAN. It is what the naval officers would call a well-sheltered place?

Mr. LUDLOW. Yes. There is a good deal of work to be done to make it available. My recollection is that something like a quarter to a half mile of excavations would be necessary. Whether that is sand or coral we do not know; there have not been any borings.

The CHAIRMAN. Suppose it is coral. Is that difficult to excavate under water?

Mr. LUDLOW. No; not nowadays, with modern dredging.

The CHAIRMAN. And once excavated, it is easy to keep it open?

Mr. LUDLOW. You can keep it open very readily, I think, as soon as they get the mouth of Honolulu Harbor cleared out. This plant belongs to the Government, and they are going to send it down to Pearl Harbor; that was the intention when I left there—to see if they can not deepen the mouth of it. There is one thing to be said about it, it would make another port there for the people of Honolulu and would throw out some of those who are in business, because it would make a better harbor than at Honolulu.

The CHAIRMAN. If you were putting the steamer *Boston* to sea for a voyage into the Pacific Ocean and back around Cape Horn, could you carry coal enough on the *Boston* to reach Australia and back to the mouth of the Chesapeake?

Mr. LUDLOW. No.

The CHAIRMAN. How far would you be able to steam with the coal you could carry on the *Boston?*

Mr. LUDLOW. I never served on the *Boston;* I could only give you my impression. I do not think her steaming radius is over 3,500 miles. She is one of the old type of ships.

The CHAIRMAN. Take the best of modern ships—cruisers which have large capacity for carrying coal, and built purposely for that. What is the steaming radius of those ships?

Mr. LUDLOW. Probably the steaming radius of the *Columbia* is the largest. My impression is that at her most economical speed she has something like 10,000 miles. The *Philadelphia* has probably 6,000 miles, and the *San Francisco* has probably 5,000.

The CHAIRMAN. That means 5,000 miles out and back?

Mr. LUDLOW. Five thousand miles alone.

The CHAIRMAN. You could not take either of those ships from the mouth of the Chesapeake Bay around to San Francisco, and when you arrived there have them in fighting condition?

Mr. LUDLOW. No; you would have to stop on the way.

The CHAIRMAN. Where would you stop?

Mr. LUDLOW. In time of peace?

The CHAIRMAN. Any time.

Mr. LUDLOW. We have any number of stations—a dozen or more coaling commercial stations all through the West Indies; Pernambuco, Brazil; Bahia, Rio Janeiro, Montevideo, and Sandy Point, Straits of Magellan, and Callao; and also Panama and Valparaiso.

The CHAIRMAN. At Valparaiso you would find coal?

Mr. LUDLOW. Yes; and at Callao.

The CHAIRMAN. In time of war you could not obtain coal supplies for the naval vessels?

Mr. LUDLOW. I believe coal is contraband.

The CHAIRMAN. So that in time of war if you wanted to carry coal for the best cruiser you have from Chesapeake Bay to San Francisco, you would not find her in fighting trim when you got to San Francisco?

Mr. LUDLOW. No.

The CHAIRMAN. Do you not think that under such circumstances it would be of advantage to the United States to have at some point in the Pacific, away from our coast, places where we have the right of control, and places where we could protect our coal supplies?

Mr. LUDLOW. I see what you are leading up to. We could not reach Honolulu.

The CHAIRMAN. We could reach Samoa, could we not?

Mr. LUDLOW. No.

The CHAIRMAN. Suppose we were already at Samoa and at Honolulu and had our supplies, and we had to combat with the ships that would come from the Mediterranean and around the Horn for the purpose of attacking the coast of California, which country would have the advantage in a military sense in such an arrangement as that?

Mr. LUDLOW. Samoa would have to be counted out. It is over 6,000 miles from there, and we are 2,000 miles from Honolulu.

The CHAIRMAN. My question is that we are already in possession of Samoa and Honolulu, and we have sufficient coal there to supply any emergency whatever. Then the question would be, having the right to coal your ships at those points, and protecting them and protecting your depot of supplies, would you have an advantage over a maritime power that had to cross the Atlantic and come around the Horn, or

had to go through the Mediterranean and the Suez Canal for the purpose of attacking the coast of California?

Mr. LUDLOW. There might be a slight advantage. But these other nations have all got nearer stations than that; the French and German as well as the English are in possession.

The CHAIRMAN. I suppose our Navy would not be of much use to us if we could not do more than to send our ships with coal enough to go out and fight and get back?

Mr. LUDLOW. That is all we can do. We have made no effort to get any coaling station abroad.

The CHAIRMAN. As a naval officer, do you think it is a wise policy?

Mr. LUDLOW. For this country, yes.

The CHAIRMAN. Then we do not need a Navy.

Mr. LUDLOW. Oh, yes. You can not defend California with fortifications; you have to defend that place on the sea.

The CHAIRMAN. The high sea?

Mr. LUDLOW. Outside of gunshot. The class of ships we have been building there are battle ships. We have a few cruisers, but not what we would call fighting ships.

The CHAIRMAN. Your idea, then, of the use of a navy would be that the best policy is to have strong ships, well-armed vessels, at the principal ports, where they could come inside, get their coal and provisions, and go outside and fight?

Mr. LUDLOW. Yes; and not to allow our territory to be hurt. It is not so much offense as defense.

The CHAIRMAN. When you get up in the country about Puget Sound where they have large military and naval establishments on Vancouver Island, or Victoria Island, wherever it is, you would find difficulty there unless you stationed your ships inside the sound?

Mr. LUDLOW. Yes; but we have some 8,000,000 or 9,000,000 men in the United States, and we could have 1,000,000 men over there in no time. They would lose that in thirty days.

The CHAIRMAN. That is to say, the land forces would go out?

Mr. LUDLOW. Yes; we could get them across.

The CHAIRMAN. In that case, then, your reliance would be upon the land forces and not upon the navy?

Mr. LUDLOW. We would have to be there to see that they got there safely. They have to have vessel transportation.

The CHAIRMAN. You seem to think that we have little need of a navy, more modern fighting ships, except of the cruising class.

Mr. LUDLOW. Oh, no; battle-ship class.

The CHAIRMAN You prefer those?

Mr. LUDLOW. We need them both. If a man has certain work to do he wants proper tools to work with. They work together.

The CHAIRMAN. Can you name the ports on the Atlantic where you think these battle ships should be stationed to meet the ships of another nation, say British ships?

Mr. LUDLOW. You can count those ports very readily because the depth of water comes in. There are several ports on the coast of Maine. Portland is probably the principal one. There is another at Portsmouth, N. H., where we have a naval station. Then you come down, and, although Boston is not a safe port to get into under all the circumstances with a heavy-draft ship, yet it is of great importance that that port should be defended. Then there is New York, of course, and the mouth of the Delaware.

The CHAIRMAN. And Newport?

Mr. LUDLOW. Yes; you have Newport.

The CHAIRMAN. Any other places?

Mr. LUDLOW. You could mention many harbors up there that have sufficient draft of water for these ships to enter, but other ports could be looked out for with lighter draft ships.

The CHAIRMAN. Going on the same principle you would have ships with sufficient power at the entrance of these principal bays on the Atlantic, the Gulf, and Pacific to fight foreign ships as they came in at each of these places?

Mr. LUDLOW. They would have to be in a position to be easily gathered together.

The CHAIRMAN. Would it not be a little difficult to gather a fleet at particular points—say New York—to defend an attack by English vessels, if you had to bring them from the different ports of the Gulf and South Atlantic and Chesapeake, and so on, in order to meet a military or naval force from Great Britain?

Mr. LUDLOW. You have got to move, no matter how the blow is to be struck.

The CHAIRMAN. It would be a risky operation?

Mr. LUDLOW. Of course there would be some risk.

The CHAIRMAN. It would not be so much so if we owned the outside points, say the Bermudas?

Mr. LUDLOW. They are near enough as an outpost, and sufficiently near to be supported.

The CHAIRMAN. As a naval defense you say that the Atlantic coast would not be so safe against the invasion of a foreign fleet without the possession of these different points that we are speaking of, as if we owned them?

Mr. LUDLOW. It would be very much better if we owned them.

Senator SHERMAN. I would like to have you describe much more fully than has been done here the defense on Vancouver Island. I have been there, and know something about it, but I have not a knowledge of the geographical terms. What kind of fortifications or defenses have been established at Vancouver Island?

Mr. LUDLOW. Not very many of them. They have been mounting some high-power modern guns there, I think not to exceed a half dozen, within the last two years. But they have a small naval station on a little harbor that they go into, and it has been principally directed to the defense of that.

Senator SHERMAN. How far is that from the city of Victoria?

Mr. LUDLOW. It is 2 miles, or 2½ miles as I remember it. I was there as a visitor only, a very short time.

Senator SHERMAN. Have the English any other fortifications or naval stations along the Pacific coast except that one? Is there any up in Canada, farther north?

Mr. LUDLOW. No; that is the only one. They have their depot of supplies farther south, down to Coquimbo.

Senator SHERMAN. How far is Port Townsend from Victoria?

Mr. LUDLOW. About 25 miles. You mean the strait where Puget Sound runs in?

Senator SHERMAN. Land to land—from Port Townsend across to the nearest land; in plain sight of it, is it?

Mr. LUDLOW. Yes.

Senator SHERMAN. Do you think the channel is 10 miles?

Mr. LUDLOW. Do you mean the strait?

Senator SHERMAN. Yes.

Mr. LUDLOW. Straight across is from 10 to 15 miles.

Senator SHERMAN. Your idea is that in case of war our forces could be thrown on the island, and they could practically occupy that island without regard to the Navy?

Mr. LUDLOW. They have some ships there, and also naturally they would make the best fight they could. But they realize the fact that war without us would involve all they have to the north of us.

Senator SHERMAN. Still, there is no other preparation for defense, for any other fort on the island except that?

Mr. LUDLOW. I never heard of any and do not believe there is.

Senator SHERMAN. Is there any difficulty in landing on the inside?

Mr. LUDLOW. On the inside; no. There are abundant harbors on the West Pacific coast—some very fine harbors in there that have never been surveyed.

The CHAIRMAN. Have you mentioned the depot of supplies at Coquimbo?

Mr. LUDLOW. Yes; that is in Peru. That is the southern part of their squadron. They have a store ship there, and a direct line of steamers clear up to Callao.

The CHAIRMAN. Is it Coquimbo or the Esquimalt?

Mr. LUDLOW. Esquimalt is fortified somewhat.

The CHAIRMAN. Land fortifications?

Mr. LUDLOW. There are some land fortifications there, but not of very great importance. They have a dry dock and can do repairs there.

The CHAIRMAN. They have not built ships there yet?

Mr. LUDLOW. Oh, no.

The CHAIRMAN. They have their coal supplies back on the island?

Mr. LUDLOW. Their coal mines are the Nanaimo, which are on the east side of the island of Vancouver, about 60 or 70 miles north of Victoria; and, at Departure Bay, the Wellington mines; 50 miles north is the Comax mine. There is the greatest abundance of coal to the north end of the island; it is only a question of opening it up.

Senator SHERMAN. Does that coal go to San Francisco?

Mr. LUDLOW. Yes. So far as I know, it is the only bituminous coal found on the west coast. The coal is of very excellent quality.

Senator DOLPH. Are you acquainted with the coal industry in the State of Washington?

Mr. LUDLOW. It is this way. For three years I was the light-house inspector at San Francisco, and in that position I had to buy a great deal of coal, and I tried all the coal from all the mines that I could find in the market in San Francisco.

Senator DOLPH. How long ago was that?

Mr. LUDLOW. That was in 1887, 1888, 1889, and 1890.

Senator DOLPH. Are you familiar with the product from the Green River country, the mines opened by the Central and Southern Pacific?

Mr. LUDLOW. In Wyoming?

Senator DOLPH. No; in Washington.

Mr. LUDLOW. The Green River in Washington? No; I have not seen those; I did not know there was any on the market.

Senator DOLPH. Do you know the quality of the coal used by the Central and Southern Pacific from mines in Washington east of Tacoma and up in the Cascade Mountains?

Mr. LUDLOW. I have not seen them. They get their coal from Coma Vein, Vancouvers Island. They own 30 per cent in those mines, and Dunsmores own 70.

Adjourned to meet on notice.

WASHINGTON, D. C., *Thursday, February 8, 1894.*

The subcommittee met pursuant to notice.

Present: The chairman (Senator Morgan) and Senators Gray and Frye.

Absent: Senators Butler and Sherman.

SWORN STATEMENT OF NICOLL LUDLOW—Continued.

Senator GRAY. You have already been sworn?

Mr. LUDLOW. Yes.

Senator GRAY. And you stated in your examination the other day that you went to the Sandwich Islands, in command of the *Mohican*, with Admiral Skerrett; that you arrived there on the 10th of February, and were there until when?

Mr. LUDLOW. The 1st of May.

Senator GRAY. You have already said that you were ashore nearly every day; that as Admiral Skerrett's chief of staff it was your duty to make a great many social and official calls; that you came in contact with the people of those islands, and that you were an interested observer of the condition of things obtaining there. That is so, is it not?

Mr. LUDLOW. Yes.

Senator GRAY. Did you, with reference to the revolution of January 17, 1893, form any opinion from these sources of observation and information as to whether or not that revolution would have been accomplished when it was accomplished and as it was accomplished if it had not been for the presence on shore of the United States troops?

Senator FRYE. Do you consider that a legitimate question?

Senator GRAY. I do.

The CHAIRMAN. I expect Mr. Ludlow had better answer that question.

Mr. LUDLOW. I would like to call attention to a fact in the question.

The CHAIRMAN. State your opinion about it.

Mr. LUDLOW. The troops were not on shore at the commencement of the revolution; that is, something had been done in the way of the revolution before the men got ashore.

The CHAIRMAN. You do not know that of your own knowledge?

Mr. LUDLOW. No. The tenor of the Senator's question is what I heard and what I learned and saw.

The CHAIRMAN. I do not understand that you are asked for all you heard and learned; but the question is based upon a hypothesis.

Senator GRAY. There is no hypothesis about the fact that the revolution, so-called, occurred on the 17th of January, and, when Capt. Ludlow arrived there, it was still a matter of exceeding and absorbing interest and a topic of conversation among those people. The captain was ashore and met all classes of people. I now ask him whether he formed any idea as to whether that revolution would have occurred as it did but for the presence of those United States troops?

The CHAIRMAN. State whether you think it would have occurred or not, and then you may give your sources of information.

Senator GRAY. State categorically one way or the other.

The CHAIRMAN. It is a matter of opinion. You are asked to state whether you formed an opinion. Did you form an opinion about it?

Mr. LUDLOW. Yes.

The CHAIRMAN. Very good. State what it was.

Mr. LUDLOW. My opinion is that the revolution would not have occurred in the way it did, and at the time it did, if the people who were the revolutionary party, had not been assured of the protection and assistance of the United States forces there.

The CHAIRMAN. Is that opinion of yours based upon what you heard said in and about Honolulu after you arrived there, or is it an independent opinion based upon what you suppose to be the facts as you derived them from the reports and publications and your own reflections?

Mr. LUDLOW. It is an opinion that I formed after I had been there perhaps a week or two, sufficiently long to get acquainted with the people. I had never been there before. I could hear them talk, as they were all talking politics. I did not talk with them, but I heard what they said.

The CHAIRMAN. Is your opinion based upon what you heard said there?

Mr. LUDLOW. Yes; they were specially free in giving vent to it on both sides. Afterwards very little was said about it by the Queen's party, or Monarchists, as they are called.

Senator GRAY. Did you meet Mr. Blount?

Mr. LUDLOW. Yes.

Senator GRAY. Did you ever hear him express an opinion one way or the other about the matter?

Mr. LUDLOW. I never did. He was the most remarkably reticent man in that way that I ever encountered.

Senator GRAY. Did you meet Minister Stevens?

Mr. LUDLOW. Yes.

Senator GRAY. Did you meet the members of the Provisional Government?

Mr. LUDLOW. I met them all—all the principal people there; called on them officially and socially.

Senator GRAY. On both sides?

Mr. LUDLOW. Yes; I tried not to have any politics of my own.

Senator GRAY. You tried not to talk politics?

Mr. LUDLOW. Yes.

The CHAIRMAN. Who among the supporters of the Queen's cause in Honolulu were you in the habit of associating with?

Mr. LUDLOW. I can not say associations; simply calling officially and socially.

The CHAIRMAN. Well, calling on them?

Mr. LUDLOW. I can look at a memorandum book and see the calls I made there. I did not have any intimacy with them at all.

The CHAIRMAN. I understand that. I simply want to know the names of the persons who were the supporters of the Queen's cause with whom you had social relations.

Mr. LUDLOW. Mr. Robinson, the Queen's chamberlain, and wife, a very charming lady, a daughter of Mr. Cleghorn, and Mr. Cleghorn himself. When I arrived he was the governor of Oahu; afterward his title was abolished. But all these people made very little impression on me. I met Mr. and Mrs. Robinson; Mr. Neuman, who was the lawyer to the Queen, and his family. Those I saw the most of; perhaps called a half dozen times at Mr. Robinson's house and Mr. Neuman's house. I would go down in the evening and sit on the piazza with them. Mr. Neuman was not there most of the time, however. But

I have a list of the people here, and mixed with them the monarchists, and so on.

The CHAIRMAN. Mr. Cleghorn married into the royal family, did he not?

Mr. LUDLOW. He married the Princess Likelike.

The CHAIRMAN. Mr. Robinson was also connected by marriage with the royal family?

Mr. LUDLOW. No; not with the royal family.

The CHAIRMAN. With a Hawaiian family?

Mr. LUDLOW. Yes. Mr. Cleghorn's first wife was a Hawaiian woman, but not of the royal blood. After her death he married the Princess Likelike, and it is her daughter who is now in England, this princess.

The CHAIRMAN. Kaiulani?

Mr. LUDLOW. Kaiulani, who comes after Liliuokalani.

Senator GRAY. This is the book that you kept [referring to memorandum book produced by Mr. Ludlow]?

Mr. LUDLOW. That is the book I kept. It is my duty to keep a memorandum of them.

Senator GRAY. It is a pretty long list?

Mr. LUDLOW. Yes.

Senator GRAY. It embraces members of the Provisional Government, I suppose?

Mr. LUDLOW. Yes; every one. Castle is here, and the Macfarlanes. They, the Macfarlanes, are all monarchists. The fact is, the monarchists showed more taste in their intercourse with me and the other officers than the annexationists did, because the annexationists would insist on talking politics, especially the ladies. They, the monarchists, considered us as foreigners, treated us as foreigners. The other side did not treat us as foreigners, all the officials, judges—Mr. Jones and Mr. Smith——

Senator GRAY. Did you visit Mr. Stevens's house regularly?

Mr. LUDLOW. Yes; called there at once on our arrival.

Senator GRAY. When you arrived there on the 10th of February, the flag had been raised on the Government building, had it not?

Mr. LUDLOW. We found the flag flying when we came in.

Senator GRAY. After you had been there some time, as an officer of the Navy did you form any opinion as to the necessity or propriety of that flag being there. I suppose as such officer you were bound to consider matters of international propriety?

Mr. LUDLOW. Yes.

Senator GRAY. What opinion did you form?

Mr. LUDLOW. That the flag should never have been hoisted there; there was no authority for it.

Senator GRAY. What did you think as to the propriety, if you formed an opinion in respect to that, of Mr. Blount's requesting Admiral Skerrett to have the flag hauled down?

Mr. LUDLOW. I think it was a perfectly proper course to take; in fact, the only course to take.

The CHAIRMAN. Would you think that the hoisting of a flag on the invitation of a government for the protection of the peace of the country and its tranquillity was an act not to be performed by a naval officer in a foreign port?

Mr. LUDLOW. There is no authority for that. We are authorized to defend American lives and property; we are intrenching on the prerogatives of Congress when we do that.

The CHAIRMAN. You can go ashore with your troops?

Mr. LUDLOW. Yes; when called upon.

The CHAIRMAN. Very good. When you go ashore do you take your flag?

Mr. LUDLOW. Yes.

The CHAIRMAN. For what purpose?

Mr. LUDLOW. As an insignia of who we are.

The CHAIRMAN. As an emblem of authority?

Mr. LUDLOW. Yes.

The CHAIRMAN. Is there any difference between holding it on a pole in your hand, or hoisting it at a post?

Mr. LUDLOW. Yes; there is a difference.

The CHAIRMAN. What is the difference?

Mr. LUDLOW. The difference in this case is that there was no post established where that flag was.

The CHAIRMAN. Where was it?

Mr. LUDLOW. Over the Government building.

The CHAIRMAN. But the Hawaiian flag was with our flag?

Mr. LUDLOW. No; the American flag was not hoisted until the Hawaiian flag was hauled down.

The CHAIRMAN. In that particular your testimony is different from that of other witnesses who have appeared here.

Mr. LUDLOW. There was but one flag flying there. It was visible from the harbor. It was flying from the cupola—the steeple.

The CHAIRMAN. Was there a Hawaiian flag displayed about the Government building at the time the United States flag was there?

Mr. LUDLOW. I did not see any.

The CHAIRMAN. Are you certain it was not so? A number of witnesses have testified it was so.

Mr. LUDLOW. Then they had it hidden somewhere. It was not in a prominent place—that is, a prominent place, similar to the flag that is flying over the Senate wing of the Capitol.

The CHAIRMAN. Can you tell how many flags are flying on this Capitol now?

Mr. LUDLOW. I suppose there are two.

The CHAIRMAN. Suppose you were told that there were four, would you not be surprised?

Mr. LUDLOW. Two are all that I have noticed.

The CHAIRMAN. There are four, and you have noticed only two. When you were there in the Hawaiian Islands did you make the acquaintance, socially, of Mr. Wilson, the commander in chief of the police?

Mr. LUDLOW. Mr. Wilson is out of office. I do not think I ever saw him.

The CHAIRMAN. You did not have any conversation with him about the state of affairs in Hawaii?

Mr. LUDLOW. No. That was all in the hands of the United States diplomatic agents on shore. We had nothing whatever to do with that; we had to mind our own business.

Senator FRYE. I desire to call attention to a very important communication from Mr. S. M. Castle, whom we all know as one of the best men in the Hawaiian Islands. It gives a brief history of the French and English attempts to take possession of those islands, and of the English hoisting a flag and its being lowered again. It is a very interesting document, and I think it ought to be incorporated in our record.

The CHAIRMAN. That order will be made.

The document is as follows:

MEMORANDA AND REMINISCENCES OF INCIDENTS IN HAWAIIAN HISTORY, BY S. N. CASTLE.

As some of the incidents which I may mention are entirely personal, and the inquiry will naturally arise as to their credibility, it will not be thought egotistical or indelicate for me to speak first of myself, so that any person reading these memoranda can judge of their credibility. My circumstances have been favorable both for hearing and seeing and for acquiring information generally upon matters spoken of. In July, 1836, I received the appointment of secular or financial agent of the American Board of Commissioners for Foreign Missions for these islands. Sailing from Boston December, 1836, and arriving April 9, 1837, I was identified with the mission, whose temporal necessities I came to provide for, of course, and the nature of my work also identified me at once with the business community.

For fourteen years I was devoted solely to the work of my agency. At the end of this time, at the suggestion and by the wish of the American board, Mr. Cooke, my assistant in the agency, and myself established the mercantile house of Castle & Cooke, which has now been in operation for thirty-two years. I continued to act as agent for thirty-two years from the date of my appointment. Thus I have been identified with this business community for forty-six years. I think there are none remaining but myself of those who were prominent in business. One house remains, but with no original partner. I have been honored by my fellow-residents with various honorary positions, as president of the Chamber of Commerce, etc., and also in other than business relations in the political, religious, and other organizations. The institutions of the country when I came here were in a formative state, and as I came in a responsible and fiduciary character it was natural that I should be sometimes consulted and my counsel sought in matters in which I was supposed to be more fully informed than those who, from their circumstances, had not had so good opportunities of information as I have enjoyed.

I was invited to honorable positions in the Government service which I declined, but did not hesitate to give my opinion when it was sought upon political, religious, or civil topics, and thus I became acquainted with many things of which I should have known nothing in other circumstances. My position as a privy counselor and noble has added to my opportunities of learning the political status of the country.

In forming my opinion of the purposes of France and Great Britain respecting these islands *in the past*, I have been influenced by the tendency of events as well as utterances, either oral or written, of both France and Great Britain for the last forty years. They have been particularly active in extending their colonial system among the islands of the Pacific, and their dealings with these islands as well as some utterances, have looked to the same result; while the relations of the United States have seemed to be more those of a guardian for its ward, though not unmingled with interest, for the great body of its commerce has always been American. But, aside from this, citizens of the United States have spent *millions of money* as well as *years of weary labor* in Christianizing and civilizing the people; in giving them a written language, and books, and schools, and churches, and laws, as well as a civil polity, in making them what they are; and her military and naval

authorities and her statesmen declare the strategic position of the islands to be such that no other country should appropriate them, but American influence must be maintained paramount or they must take possession. Such remarks have been made to me personally by Gen. Schofield and different admirals. Gen. Schofield reiterates the same, with the reasons therefor, in a letter of December 30, 1875, addressed to the Hon. J. K. Luttrell, M. C. Admiral Porter sustains these views in a letter to the Hon. Mr. Wood. The London Times says: "The maritime power that holds Pearl River Harbor and moors her fleet there holds the key of the North Pacific." Sir George Simpson says that "this archipelago is far more valuable on this account, that it neither is nor ever can be shared by a rival." Alexander Simpson says: "From the period of my first visit to the Sandwich Islands I became convinced of their value and importance and therefore desirous that they should form a British possession." Mr. Simpson says later: "I can not but regret now seeing the undecided action of the British Government that some act on the part of Lord Geo. Paulet had not left any other conclusion open than that the dynasty of Kamehameha must cease to reign."

I have deemed the aggressions made by both British and French in former times to enforce demands having in my opinion but little foundation in justice, as part of a system of encroachment, having for its ultimate object the appropriation or possession of these islands.

Indeed it has been stated to me that the French consul said that had they, the French, supposed that the Government could have raised the $20,000 demanded, Capt. Laplace would have placed the sum so high that it could not have been raised, and he would have taken possession as at Tahiti. Shortly before the arrival of the *Ambuscade* in August, 1842, the French consul told a friend of mine that he had no complaints to make; everything was harmonious with the Government, but shortly the *Ambuscade* arrived, and the captain presented such a catalogue of inadmissible demands that it must have resulted in a cession had not Mr. Richards and Haalelio just sailed for the United States, England, and France to try to secure the acknowledgment of Hawaiian independence, and adjust any difficulties, if any were found to exist. Under these circumstances Capt. Malet consented to await the result of the mission.

Upon hearing of this, Admiral Richard Thomas, in command of the British Pacific squadron, lying at Valparaiso or Callao, dispatched Lord Geo. Paulet, with the frigate *Carysfort*, to Honolulu, to secure the settlement of any difficulties between the island Government and the British subjects. The *Carysfort* arrived on the 4th of February, 1843. On the 14th Lord Paulet presented demands to which the King yielded under protest. On the 20th the King visited the frigate and was received with royal honors, but the next day new demands were presented, amounting to $117,330.89. To satisfy these was beyond the King's power, and after some preliminary negotiations a temporary cessation was made on the 25th, and the administration was committed to two commissioners appointed by Lord Paulet and one by the King.

The French and English were no doubt determined to take and hold possession. They were playing against each other, and the islands were the stake.

Lieut. Frere, the head of the governing commission, told me that they saw the French were determined to have the islands, as they had taken possession of the Society and Marquesas, and they were determined to be beforehand with them. Britons sympathized with the feelings of Mr.

Sympson, already quoted, and they expected the session would be permanent. This, I think, was the general expectation of others as well, and, as I believe, it would have been so had not Lord Paulet sent his dispatches directly to the home Government, instead of through the admiral, as the proper channel. When the admiral heard of the session he immediately sailed for Honolulu, where he arrived July 26, and, after some preliminary negotiations, on the 31st a force of British marines with 2 brass field pieces marched to the plain east of the town, with the admiral and King present, when the British flag was lowered and the Hawaiian hoisted and saluted by the marines. The admiral was offended with Lord Paulet, as I plainly perceived by remarks made to myself when spending an evening at my house; and my belief that the flag would not have been restored but for this informality rests partly on the past practice of the British, and the statement made to me by Mr. Richards that the Earl of Aberdeen, the foreign secretary, or Mr. Addington, the under secretary, told him that if Admiral Thomas had not restored the flag the British Government would not have done so, and until they heard this Mr. Richards could not negotiate.

The London Times of August 20 of the same year, in a semi-official article, says:

> It obviously becomes the duty of our Government to secure, by the most positive formal pledges, both from France and America, that independence which we now propose to restore to the native princes.

On the 28th of November, 1843, France and Great Britain jointly engaged reciprocally to consider the Sandwich Islands as an independent State, and never to take possession, neither directly or under the title of protectorate, nor under any other form, of any part of the territory of which they are composed.

In 1846 the French treaty was revised and the $25,000, taken away in 1839, returned in 1849. The French consul, Dillon, with Admiral Tromline, presented a new list of grievances and demands, which the Government could not concede, in consequence of which the admiral landed his force and took possession of the custom-house, treasury, and fort, and held possession three days. After spiking the guns and committing some depredations the force was again embarked and sailed away, taking with them the King's yacht and the consul and family. It was said that they ordered the governor to pull down the Hawaiian flag, which he refused to do, and that they did not do it themselves out of respect to the treaty of November 28, 1843. In 1851 Mr. Perrin, a new French commissioner, arrived, with similar complaints and making similar demands. After long negotiations neither party would yield enough to enable them to come to an understanding, and matters assumed so serious and threatening an aspect that the consul sent to the British commissioner to inquire if in case of necessity he would hoist the British flag and protect the islands. He felt himself precluded from doing so by the obligation of the joint treaty. The United States commissioner was then applied to and consented to do so. I was informed that the French commissioner learned this through the British commissioner, and though the demands were not withdrawn he ceased to press them. The United States were not a party to the treaty, but were the first to recognize the independence of the islands in a Presidential message to Congress December 31, 1842.

The demands made were in the main untenable and the claims not well founded, and even when well founded were untenable, because the claimants had refused first to have the local authorities act upon them.

By personal request of Admiral George Seymour and Gen. Miller, in company with Mr. Wylie and the Danish consul, I sat in arbitration and settlement of a number of these British claims in 1845, and no doubt satisfactory settlements would have been made by the constituted authorities had they been permitted to take their usual course. Of one large claim, Maj. Low, of the British army, said that in traveling through the islands he had not found one respectable man who believed it to be valid. But I have said enough to show why I thought that possession of the islands has entered into the wishes and plans of both the British and French in the past. I have no comments to make upon these plans. It is the practice of nations, and no doubt will continue to be so until causes of war are removed. The plea of necessity is used to justify it. The interests of the aggressing party require it. But no injustice is intended to individuals, and the general good is enhanced by it. So large numbers of good men felt when Great Britain occupied the Fijis and many other places. It meant safety to persons, stable government, civilization, Christianity, progress, and toleration. So also when the French occupied Algiers and other places, and so I think it will be better for the United States to extend its laws over all Indians in its territory, making them citizens and treating them as they do the white citizens. The case here is a little different, for under the auspices of a highly civilized nation the Hawaiians were making rapid progress in civilization. Safety and justice were as fully secured to all as they were anywhere else. If there were any preempted rights to the islands under any circumstances, it would seem to vest in those under whose auspices and at whose expense these improvements have taken place. And this is what had been done by the labors and at the expense of citizens of the United States. The complaint had been made to the British authorities that Americans, and particularly missionaries, were getting an undue influence and playing into the hands of the United States. Gen. William Miller, the British commissioner and consul-general with whom I had a very friendly acquaintance, invited me to listen to a letter from the Earl of Aberdeen, then the British foreign minister.

He wrote that complaints had been made to him of the undue influence of the missionaries, and the reply said that upon inquiry he could not find that they had acquired or used any influence which they were not legitimately entitled to. These complaints, by whomsoever made, were no doubt made to excite national jealousy and provoke national interference. Mr. Wylie, himself, a British subject, but Hawaiian foreign minister at that time, told me that all the interests of the islands by their local position would attach them to the United States if their independence should lapse, and that upon these views being communicated to Lord Clarendon, the then British foreign secretary, he wrote to the consul that Mr. Wylie was right; that by their adjacent position their interests called for their union to the States. The political question for the States would be: "Does our interest call for any such union or the maintenance of any such paramount influence as shall serve our purpose in case of war with any maritime power?" I have quoted both British and American views from their different standpoints, and I deduce French views from their course of action, and, in an account written by myself and published in the Hawaiian Spectator in October, 1839, giving an account of the French aggressions of July, 1839, I was sustained in my views of its character by a written request that sixteen of the commissioned officers of the United States East India squadron here in October, 1839, to reprint 1,000 copies of the account at their

expense for gratuitous distribution, which I did, and an indorsement of my views by the Hon. Rufus Choate in the North American Review.

Mr. Jarves, the historian of Hawaii, says:

> They hold the key of the Pacific Ocean, for no trade could prosper or even exist whilst a hostile power, possessing a powerful and active marine, should send out its cruisers to prey upon commerce; but once firmly established upon them it might put to defiance any means of attack which could be brought to bear against them. Hence the commercial countries have been jealous lest some of them should have a superior influence.

Mr. Seward, in a speech in the Senate on the subject of the commerce of the Pacific, says:

> Who does not see that henceforth every year European commerce, European politics, European thought, European activities, although actually gaining greater force, and European connections, although becoming more intimate, will nevertheless ultimately sink in importance while the Pacific Ocean, its shores, its islands, and the vast regions beyond, will become the chief theater of events in the world's great hereafter?

President Lincoln said:

> In every light in which the state of the Hawaiian Islands can be contemplated it is an object of profound interest for the United States. Virtually it was once a colony. It is now a near and immediate neighbor. It is a haven of shelter and refreshment for our merchants, fishermen, seamen, and other citizens, when on their lawful occasions they are navigating the Eastern seas and ocean. The people are free and its laws, languages, and religion are largely the fruit of our own teaching and example.

The minority report of the Committee on Ways and Means regarding the treaty says:

> Much stress is laid in the report of the majority upon the importance to the United States of obtaining a foothold upon these islands in the interest of our Pacific commerce with the continent of Asia, and of our safety in case of future war with any great naval power.
>
> The undersigned are not insensible to these considerations. No European power should be permitted to claim sovereignty of these islands or to gain such influence in them as to menace our security. To allow this would be contrary to the well-established canons of American policy by nearly a century of traditions and the conceded maxims of international law. No European power can deny to us the peculiar right to exclude them from possessing what would be a standing menace of danger to us and the possession of which by us would be no menace of danger to them.
>
> War we hope never to see, and shall bless the time, if we are permitted to see it, when the reign of peace and good will to men shall be universal everywhere. But while the state of men continues to make it wise, "In time of peace to prepare for war."

I think I have shown, by the events related as occurring within the last fifty years and quotations from competent naval, military, and civil authorities, that it is both wise and proper for the United States to seek and retain such paramount influence and control of the islands as will prevent their being used as a menace to them in case of war. It will be noted that the incidents narrated and the remarks quoted from writers and speakers were nearly all of them many years antecedent to the treaty, and could only have related to the intrinsic value of the islands for their location and capability of production, and it is now nearly seventy years, as I am informed, since President Monroe uttered his views on this subject.

I may remark that Kamehameha IV said to me, while yet heir apparent, that if the nation died out and its sovereignty passed away, as it seemed by the course of events must inevitably be the case, they should and would go to the States, and the question when was only a question of time. If the authorities could enforce neutrality against all belligerents their strategic positions would not be so important, but

they have not the power to do so. Hence their strategic value to the United States, and they can in no way be so well utilized as by the perpetuation of this treaty, which will increase and retain a commanding American influence, such as it needs, and which will be better for all of its wants than annexation. Secretary J. G. Blaine makes the *Monroe doctrine to include the islands because of their location.*

A San Francisco Bulletin leader of May 2 says:

There seems to be no occasion to distrust what is known as our manifest destiny on this hemisphere, but prudent statesmanship will see that no germs are planted that may be the cause of unnecessary trouble in the future. Upon this subject of European interference in the affairs of this continent the people are as set and determined in their opinions as they were in their maintenance of the Union of these States.

I am, very respectfully, your obedient servant,

S. N. CASTLE.

Hon. ELWOOD THORNE,
Washington, D. C.

If the United States looks to commercial supremacy or even a participation upon equal terms in the great and growing commerce of the Northern Pacific they need a paramount influence in the Hawaiian Islands, and there is no method by which they can so obtain this object as by making reciprocity treaty perpetual. By doing this the islands become a commercial dependency of the United States, for the prosperity of the islands is made very dependent upon the commerce which the treaty promotes and stimulates and the effect would be to bind them closer and closer to the States, and their proximity gives them an advantage over any other maritime power in this respect. Mr. Lincoln truly says, "Virtually they were once a colony." They were nurtured and civilized and Christianized by its citizens and they have *earned their right* above any other nation. And as the London Times says, "The maritime power that holds the key to the North Pacific," and Sir Geo. Simpson says, "This archipelago is far more valuable that it neither is nor can be shared by a rival."

These are the recorded views of high British authorities, and I repeat, if the United States wish in the future to participate upon equal terms in the commerce of the North Pacific it seems wise to possess themselves of this "key" by making it a commercial dependency, and there is no way in which it can be done so well as to perpetuate this treaty. If the United States are content to control the commerce in her borders only they have no need of the islands. They have only to fortify impregnably their seaports and they will be secure from molestation, but they must be content to resign all commercial supremacy or even parity to others.

Since the incidents which I have narrated have transpired and the quotations which I have made were recorded, all the reasons which then existed to render the Hawaiian Islands valuable have been intensified and have rendered them more important than they were then. Both Great Britain and France have extended and strengthened their colonial possessions in this ocean, and the United States have added California and Alaska to its territory on the Pacific, and our Pacific commerce with China and Japan has grown up from California and Oregon, and since the reciprocity treaty went into effect imports from and exports to the Hawaiian Islands have been quadrupled.

Every political motive, as well as commercial, calls upon the United States to establish the advantage which the treaty has already given

them by making it perpetual, and to do it without delay, before any complications shall arise with any rival power and the control of the islands shall slip out of their hands. Wisdom calls for this without any loss of time.

The charge of fraud which has been brought by interested parties in regard to the importation of sugars and rice from other countries under its provisions is utterly baseless and has been so proved. Its originators are both base and criminal for taxing serious crimes without the shadow of a reason, and if the United States allows its present vantage to be lost by reason of these charges they will sustain a state loss which others will not be slow to improve for their own benefit.

S. N. CASTLE.

JUNE 13, 1893.

DEAR SIR: In conformity with your request I herewith inclose to you "Memoranda and Reminiscences of Incidents in Hawaiian History" which bear chiefly upon the wisdom of the treaty as a state political measure, and remain,

Very respectfully, your obedient servant,

SAMUEL N. CASTLE.

Hon. E. E. THORNE.

Senator GRAY. Mr. Chairman, I desire that these communications be made a part of this record.

The CHAIRMAN. There is no objection to that.

The communications are as follows:

U. S. R. S. DALE, 3RD RATE,
Navy-Yard, Washington, D. C., January 25, 1894.

SIR: I respectfully request the necessary permission to forward the inclosed communication to the Hon. George Gray, M. C.

Very respectfully, your obedient servant,

E. S. HOUSTON,
Commander U. S. Navy, Commanding.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

[First indorsement.]

NAVY DEPARTMENT,
Bureau of Navigation, January 27, 1894.

Respectfully returned to Commander E. S. Houston, U. S. Navy, who is informed that he is authorized by the Department to forward the inclosed communication to the Hon. George Gray, M. C.

F. M. RAMSAY,
Chief of Bureau.

[Second indorsement.]

COMMANDANT'S OFFICE.
Navy-Yard, Washington, D. C., January 29, 1894.

Forwarded, returned to Commander E. S. Houston, with reference to the above.

J. A. HOWELL,
Captain, U. S. Navy, Commandant.

U. S. R. S. DALE, 3D RATE,
Navy-Yard, Washington, D. C., January 19, 1894.

SIR: (1) In compliance with your request I submit, with diffidence, my views on the Hawaiian Islands, more especially from a military standpoint, and with reference to their value to the United States in this respect.

Contrary to the views expressed by others, I have differed with them in their conclusions thereon, as to their military value as a colonial possession, holding that, in time of war and without a navy equal or nearly equal to that of the greatest naval power, their possession would be a source of weakness rather than strength.

(2) In coming to this conclusion I have accepted, as a strategic fact, two conditions existing in our national life, and which will continue to exist for many years to come, which are either ignored or not accepted at their just value, by other writers, in dealing with such fact.

(3) The first condition is, as stated before, the nonpossession of a naval force equal, or nearly so, to that of the greatest naval power; and the second is, the improbability of Congress or our people ever permitting the creation and maintenance of such force. These two conditions, therefore, are, in themselves, sufficient to establish, from a military standpoint, the fact above referred to, as being of a strategic nature, and which must be taken into consideration in dealing with this problem. Being so, we need seek therefore no further for reasons for not acquiring the islands, such as are now being discussed in the public press.

(4) On the assumption that the wish is father to the thought, some military writers are hoping that the islands once being acquired, the United States would perforce be obliged to gradually create a large naval force; to be led into it, as it were, and thus, on the jesuitical plan that the end justifies the means, ultimately find ourselves in a position to successfully defend what we acquired, from their point of view, more for that purpose than anything else. A careful scrutiny of this has convinced me of the fallacy of their reasoning, and, if followed out, will only lead, in my opinion, to further mortification without creating the force desired. Much as I wish, and think necessary, for other just reasons, a larger Navy than that which we now possess, I yet feel convinced that not until a distant future will we have one sufficiently large to warrant our launching out on a policy of colonial acquisition with any degree of military safety.

(5) Turning to the question (Hawaii being our colony) as to what we would do with it in case of war with a great naval power, I could only say that we would ultimately have to let it go after having wasted a lot of money.

With Hawaii as our colony, national prudence would at least dictate that we should at once have to set about putting it in a state of defense, and that in no small way, either.

(6) We can not presume that no great naval war will occur, but we can presume that when such does come, the side which has the greater force and is ready first, stands the better chance of winning. If, then, our first duty is to be ready to defend our colony, and the more so that it is an island, wisdom would dictate that it should be a defense not against the weakest naval power, but against the strongest; and this, as said before, requires such a force as the country is not willing to create. Without, then, we immediately prepare, and on the required scale, we would not be in that state of readiness demanded by the situation. The great time essential to the creation and mobilization of

battle fleets with all their accessories is now too well known not to be seriously taken into account.

(7) The last military consideration that I have to note relates to the probable results of a war between ourselves and a greater naval power, with respect to our island colonies, coupled with our nonpreparation and nonpossession of a nearly equal naval force. The breaking out of hostilities would undoubtedly witness the attempt of a fleet of battle ships to wrest the islands from us and hold them by keeping the sea. This would ultimately be done by bringing a second or third fleet to reenforce the first if necessary, nor is the point sustained, which is sometimes advanced, that a great naval power would hesitate to weaken itself elsewhere in order to do this, especially when the result to be attained absolutely requires such action.

(8) In these days of great speeds, large coal radii, with cables and coaling stations, naval forces can quickly be massed, or moved from place to place, while the balance of power among the great nations nowadays in Europe is too precious and too carefully established to risk its disturbance simply to take advantage of each other.

(9) The true American policy with respect to Hawaii, from a military standpoint, would seem to be their neutralization by international treaty, so that all could come to coal and refit there; in all other respects, save perhaps the sentimental side, we have already all the advantages that can ever accrue to us by actual possession.

I am, dear sir, with great respect, your obedient servant,

E. S. HOUSTON,
Commander U. S. Navy, Commanding.

Hon. GEORGE GRAY, M. C.,
Senate Committee on Foreign Affairs, Washington, D. C.

WASHINGTON, D. C., *Tuesday, February 13, 1894.*

The subcommittee met pursuant to notice.

Present, the chairman (Senator Morgan) and Senators Sherman and Frye.

Absent, Senators Butler and Gray.

SWORN STATEMENT OF Z. S. SPALDING—Continued.

The CHAIRMAN. You can make any statements in explanation of your deposition, which you have just examined, with a view to its correction, that you may think necessary to make more plain your meaning.

Mr. SPALDING. I find upon examination of the stenographic report of my former statement that I may be misunderstood regarding my estimate of the capacity of the Hawaiian Islands for supporting a larger population than is now to be found in the country.

I would explain that I mean to convey the idea or opinion that the country is not and never can be a manufacturing or commercial country based upon its own products. It lacks in mineral resources everything required for manufacturing, and can hardly be said to have even agricultural advantages necessary to compete with more favored countries to the point of exporting enough to pay for what necessary imports would be required from abroad. Sugar, coffee, rice, and other staples

may be produced in a limited way, but not in sufficient quantities or at low enough cost to compete in the world's market and furnish a revenue to be depended on.

As a part of the United States, and useful as the commanding point in the North Pacific Ocean, Hawaii would become a land of high civilization and attract to its shores a large and intelligent population. Left to itself, and without connection or encouragement from some great nation, Hawaii might support even a million inhabitants, but they would necessarily be restricted to the commonest modes of living and be confined to the bare necessaries of life.

The CHAIRMAN. You have been to the island of Cuba since you gave your former statement to the committee. Was your purpose in going there connected with the production of sugar on that island? If so, will you please give any data or facts that have come under your observation which tend to show the comparative value of Cuba and Hawaii as sugar-producing countries, in those parts of Hawaii which were adapted to the culture and production of sugar and also coffee. In what does labor employed in Cuba differ from that in Hawaii, and what differences are there, if any, in the methods of cultivation and production of the sugar from the cane? How does the general population of Cuba, including the persons who are engaged in the raising of sugar, compare with the population of Hawaii in respect of education, cultivation, civilization, and general improvement? How does Cuba compare with Hawaii, and any other facts that you might consider to be instructive connected with these suggestions.

MR. SPALDING. My visit to the island of Cuba was made on account of my interest in the sugar-producing industry, but not in a financial or business way.

I found Cuba to be almost the opposite from Hawaii in every sense. The island is some 750 miles long and an average of about 100 miles width, covering over 25,000,000 acres of land of which probably 5,000,000 acres are arable, and most of it good sugar, tobacco, coffee, cotton, corn, or pasture lands. Some of the finest timber trees in the world are standing in its untouched forests, and its mineral wealth has been demonstrated but not developed. I think the country has within itself the natural resources and ability for supporting 10,000,000 of people and give them every luxury of life in proportion to and in compensation for their labor. Hawaii, on the other hand, has but about 100,000 acres of arable land, or such as will admit of profitable cultivation with the plow, even making no deduction for lack of rainfall, and has no minerals whatever. The immense plains and plateaus of Cuba, where hundreds of thousands of acres of rich sugar land may be brought within economical reach of the factories by means of cheap transportation, are entirely unknown in Hawaii, where the country is almost wholly mountainous and the fertile valleys few and far between.

But while Hawaii has, under the fostering influence of the United States, developed from a state of barbarism in the beginning of this century to a condition of universal education unknown in any other part of the world, Cuba has been four hundred years demonstrating the problem of how not to advance. Within less than a hundred miles of the United States, and receiving from this country nearly its entire revenue, amounting to, say, $100,000,000 per annum, there is not the first trace of "Americanism" to be found in the whole island. That the natives of Hawaii would prove more apt in acquiring the manners and customs of the United States and become better citizens than the average Cuban I have no doubt.

In regard to the particular business you inquire about, viz, the sugar industry, I may say I found much to astonish me. The methods of cultivation are such as would have ruined the country long ago had there not been such an enormous amount of virgin soil to fall back upon. The yield of sugar cane does not average more than 25 tons per acre, and this cane (by their methods of treatment) does not average more than 2 tons of sugar. By the introduction of proper methods and more intelligent labor these averages might be nearly doubled.

I found no attempt at fertilizing the lands or improving the yield and quality of the sugar cane. The system in vogue is that known as the "central factory," and the cane is all bought by weight (without regard to quality) and paid for in proportion to the price of sugar. The labor used is a combination or result of the changes that have been made in the country by the abolishing of slavery and the introduction of Chinese and others. The price for labor is very high during the few months of the year the factories or mills are at work, and during the "dead season" (as it is called) there is little done, the growth of the sugar cane being left pretty much to the generous efforts of nature. With a population of 1,500,000 people they are able to produce less than 1,000,000 tons of sugar per annum, although one man's labor is generally considered quite sufficient to produce 10 tons.

With every natural advantage in its favor Cuba stands to-day almost on the brink of ruin. But few of its plantations are really remunerative; its mining industries are practically stopped; manufacturing is at a standstill, and its towns and cities almost without business. The administration of the Government is defective to extremes, and the lack of intelligence, lack of comfort, and even lack of cleanliness among the lower classes are all certainly in very great contrast to Hawaii.

If you ask my opinion as to why this is so, I answer, because of the "Americanism" which has been instilled into Hawaii, even to its lowest strata. And if this Americanism shall be allowed to grow and increase under the fostering influence of a close commercial and political union or relationship with the United States, Hawaii will make another star in the galaxy, not less bright, and repay tenfold the favors that have been lavished upon her.

That is why I am an "annexationist."

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